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1881 Senate

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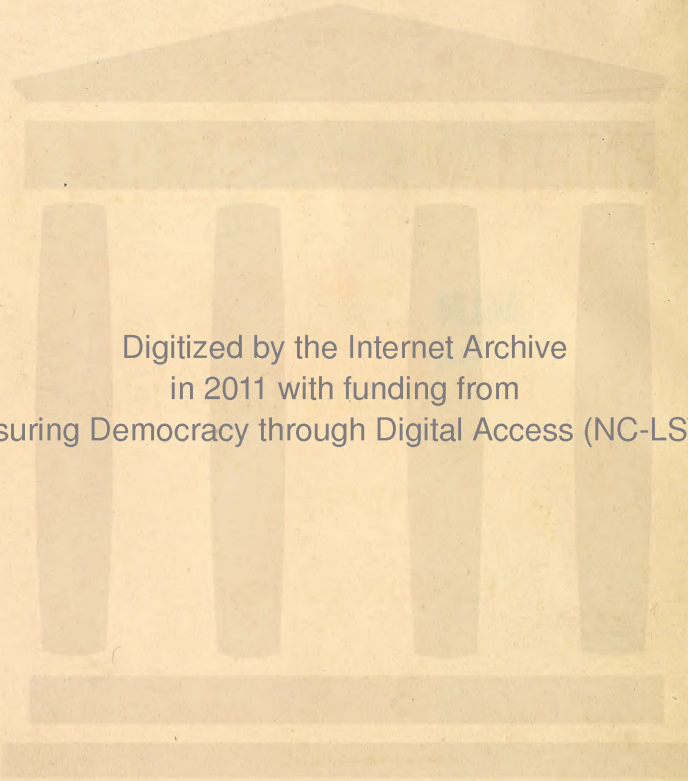


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JOURNAL

SENATE



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JOURNAL

OF THE

SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1881.

RALEIGH :

NEWS & OBSERVER, STATE PRINTERS AND BINDERS.
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SENATE JOURNAL.

SESSION 1881.

FIRST DAY.

SENATE CHAMBER,
RALEIGH, N. C., January 5th, 1881.

In accordance with law, the General Assembly of North Carolina convened at the Capitol in the City of Raleigh, at 12 m., on this the 5th day of January, A. D. 1881.

Robt. M. Furman, Secretary elected by the last Senate, called the Senate to order.

Thereupon the following Senators-elect presented their credentials, and were qualified, the oath of office being administered by the Hon. John A. Gilmer, Judge of the Fifth Judicial District of North Carolina :

1st District—	W. H. Manning.
2d	“ J. T. Respass.
3d	“ Sam'l G. Newsom.
4th	“ Spier Whitaker.
5th	“ W. P. Williamson.
6th	“ German Bernard.
7th	“ W. S. Harris, J. S. Battle.
8th	“ W. E. Clarke.
9th	“ Robt. H. Jones.
10th	“ W. T. Dortch, A. M. Faison.
11th	“ R. W. King.
12th	“ H. E. Scott.
14th	“ John A. Oates.
15th	“ V. V. Richardson.

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16th District—	John Blue.
17th “	J. J. Harper.
18th “	R. W. Wynne.
19th “	H. Carter.
20th “	J. W. Cunningham.
21st “	W. K. Jenkins.
22d “	A. H. Merritt.
23d “	H. R. Scott.
24th “	J. N. Staples, B. F. Mebane.
25th “	O. W. Carr.
26th “	Oscar J. Spears.
27th “	J. A. Lockhart.
28th “	A. Foil.
29th “	Armstead Burwell.
32d “	W. B. Glenn.
34th “	Tyre York, T. S. Tucker.
36th “	J. C. Newland, J. G. Gudger.
37th “	S. M. Finger.
38th “	Jasper Stowe.
39th “	J. B. Eaves.
40th “	T. F. Davidson.
41st “	J. P. Dever.
42d “	B. K. Dickey.

When the Thirty-third District was called, Mr. H. C. Hampton, of Yadkin, presented a paper-writing certified by the sheriff thereof, one of the returning officers for said District; and Mr. J. M. Brower, of Surry, presented a paper-writing certified by the Sheriff thereof, also one of the returning officers of said District; neither of which constituting a legal certificate, in accordance with law, both were declined to be accepted by the Secretary.

The Secretary announced a quorum present, and the Senate ready to proceed with its organization.

The Senate then proceeded to the election of a President *ro tempore*.

Mr. Staples placed in nomination Hon. W. T. Dortch, of Wayne.

Mr. Scott of New Hanover placed in nomination Mr. Oscar Spears, of Montgomery.

Mr. Glenn, and Mr. Williamson of Edgecombe, were requested to act as tellers.

The following Senators voted for Mr. Dortch :

Messrs. Battle, Bernard, Blue, Burwell, Cunningham, Davidson, Dever, Dickey, Faison, Finger, Foil, Glenn, Gudger, Harper, Harris, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Respass, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker and York—30.

The following Senators voted for Mr. Spears :

Messrs. Carter, Clarke, Eaves, King, Newsom, Scott of New Hanover, Williamson of Edgecombe and Wynne—8.

Mr. Dortch voted for Mr. Staples.

Mr. Spears voted for Mr. Eaves.

Mr. Dortch was declared duly elected.

Mr. Staples and Mr. Scott of New Hanover escorted the President *pro tempore* to the Chair.

The President *pro tempore* announced the next business in order was the election of a Secretary of the Senate.

Mr. York placed in nomination Robt. M. Furman, of Buncombe.

Mr. York and Mr. Whitaker were appointed tellers.

The following Senators voted for Mr. Furman :

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Wynne, York—39.

Mr. Furman was declared duly elected Secretary.

The election of a Reading Clerk being next in order,

Mr. Richardson nominated Mr. John H. Small of Beaufort.

Mr. Clarke and Mr. Richardson were appointed tellers.

The following Senators voted for Mr. Small :

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Wynne and York—40.

Mr. Small was declared duly elected.

The oath of office was administered to the Secretary and Reading Clerk.

The election of an Engrossing Clerk being in order,

Mr. Bernard nominated Mr. J. S. Tomlinson of Catawba.

Mr. Bernard and Mr. Scott of Hanover, were appointed tellers :

The following Senators voted for Mr. Tomlinson :

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Respass, Richardson, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Wynne and York—38.

Mr. Tomlinson was declared elected.

The Senate proceeded to elect a Principal Doorkeeper.

Mr. York nominated Mr. W. V. Clifton.

Mr. York and Mr. Wynne were appointed tellers.

The following Senators voted for Mr. Clifton :

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Gudger, Harper, Harris, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Oates, Respass, Richardson, Scott of New

Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Wynne and York—41.

Mr. Clifton was declared elected.

The oath of office was administered to the Engrossing Clerk and Doorkeeper.

BILLS AND RESOLUTIONS.

The following resolution was introduced :

By Mr. Davidson, a resolution to appoint a committee on Rules. Adopted.

The President *pro tempore* appointed as said committee, Messrs. Davidson, Lockhart and Clarke.

On motion of Mr. Richardson, a message was ordered to be sent to the House of Representatives informing that honorable body that the Senate was duly organized, and ready to proceed with business.

On motion of Mr. York, the Senate adjourned until tomorrow morning at 11 o'clock.

SECOND DAY.

SENATE CHAMBER, January 6th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Burkhead.

The Journal of yesterday was read and approved.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representa-

tives informing the Senate of the organization of that honorable body; and proposing the appointment of a Joint Committee to wait upon his Excellency the Governor, and notify him of the organization of the General Assembly.

The proposition of the House was concurred in; and

Messrs. Lockhart, Spears and Carr were appointed as the Senate branch of said committee.

Mr. Hanes, Senator elect from Davidson, and Mr. Williamson, Senator elect from Davie, presented their credentials, and were duly qualified.

The Senate proceeded to elect an Assistant Doorkeeper.

Mr. York placed in nomination Mr. D. McMathewson, of Alexander.

Mr. Scott of New Hanover placed in nomination Mr. A. V. Horrell, of Pender.

Messrs. York and Scott of New Hanover were appointed tellers.

The following Senators voted for Mr. Mathewson :

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cunningham, Davidson, Dickey, Dortch, Faison, Foil, Glenn, Gudger, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and York—31.

Those voting for Mr. Horrell were :

Messrs. Clarke, Hanes, King, Newsom, Scott of New Hanover, Spears and Williamson of Edgecombe—7.

Mr. Mathewson was declared elected, took the oath of office, and entered upon his duties.

MEMORIALS AND PETITIONS.

Petitions were presented as follows, and placed upon the Calendar:

By Mr. Williamson of Edgecombe, petition of citizens of

Edgecombe, asking the repeal of so much of chapter 232, acts of 1879, as relates to Draughan's church in Edgecombe county;

By Mr. Clarke, petition of A. J. Jackson, asking to be allowed to contest the seat of the Senator from Halifax;

Petition for a no-fence law in a portion of Craven county.

REPORTS FROM SELECT COMMITTEES.

From Select Committee on Rules:

By Mr. Davidson, the following Rules for the government of the Senate:

ORDER OF BUSINESS.

1. The President having taken the Chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

2. After the reading and approval of the Journal, the order of business shall be as follows:

1. The presentation of Petitions.

2. Reports of Standing Committees.

3. Reports of Select Committees.

4. Messages from the House of Representatives.

5. Introduction of Bills and Resolutions.

6. Unfinished Business of Preceding Day.

7. Special Orders.

8. General Orders: first, bills and resolutions on third reading; second, bills and resolutions on second reading; but messages from the Governor and House of Representatives, and communications and reports from State Officers and reports from the Committee on Engrossed Bills and Enrolled Bills, may be received and acted on under any order of business.

POWERS AND DUTIES OF THE PRESIDENT.

3. The President shall appoint all committees, unless otherwise ordered by the Senate.

4. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President, except that of giving a casting vote in case of a tie, when he shall have voted as a Senator; but his power as such substitute shall not continue for a longer period than two days without leave of the Senate.

5. He shall assign to doorkeepers their respective duties and stations.

OF THE CLERK.

6. The President and Clerk of the Senate shall see that all bills shall be acted upon by the Senate in the order in which they stand upon the Calendar, unless otherwise ordered as hereinafter provided. The Calendar shall include the number and title of bills and joint resolutions which have passed the House of Representatives and been received by the Senate for concurrence.

7. He shall certify the passage of bills by the Senate, with the date thereof, together with the fact whether passed by a vote of three-fifths or two-thirds of the Senate whenever such vote may be required by the Constitution or laws of this State.

OF THE RIGHTS AND DUTIES OF SENATORS.

8. Every Senator presenting a paper shall indorse the same; if a petition, memorial, or report to the General Assembly, with a brief statement of its subject or contents, adding his name; if a resolution with his name; if a report of a committee, a statement of such a report, with the name

of the committee and member making the same; if a bill, a statement of its title, with his name.

9. All motions shall be reduced to writing if desired by the President or any Senator, delivered in at the table, and read by the President or Clerk, before the same shall be debated; but any such motion may be withdrawn at any time before decision or amendment.

10. If any question contains several distinct propositions, it shall be divided by the President, at the request of any Senator: *Provided*, each sub-division, if left to itself, shall form a substantive proposition.

11. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are being read; when the President is putting a question, or a division by counting shall be had, no Senator shall walk out of or across the house, nor when a Senator is speaking, pass between him and the President.

12. Every Senator wishing to speak or debate, or to present a petition or other paper, or to make a motion or report, shall rise from his seat and address the President, and shall not proceed further until recognized by him. No Senator shall speak more than twice nor longer than thirty minutes on the same day on the same subject, without leave of the Senate; and when two or more Senators rise at once, the President shall name the Senator who is first to speak.

13. Every Senator who shall be within the bar of the Senate when a question is stated by the Chair, shall vote thereon unless he shall be excused by the Senate, or unless he be directly interested in the question; and the bar of the Senate shall include so much of the body of the Senate Chamber as is within the columns.

14. When a motion to adjourn, or for recess, shall be affirmatively determined, no member or officer shall leave his

place till adjournment or recess shall be declared by the President.

STANDING COMMITTEES.

15. Standing Committees, consisting, unless otherwise ordered, of seven members, except the Committee on Judiciary which shall be composed of ten (10) Senators, shall be appointed by the President on the following subjects:

1. On Propositions and Grievances.
2. On Privileges and Elections.
3. On Claims.
4. On Judiciary.
5. On Internal Improvements.
6. On Education.
7. On Military Affairs.
8. On Agriculture, Mechanics and Mining.
9. On Banks and Currency.
10. On Corporations.
11. On Finance.
12. On Insurance.
13. On Penal Institutions.
14. On State Debt.
15. On Salaries and Fees.
16. On Engrossed Bills.
17. On Deaf, Dumb and Blind Asylum.
18. On Insane Asylum.

16. The Committee on Engrossed Bills shall examine all bills, amendments and resolutions before they go out of the possession of the Senate, and make report when they find them correctly engrossed.

17. Every report of the Committee upon a bill or resolution which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate,

shall stand upon the General Orders with the bill or resolution.

OF GENERAL ORDERS AND SPECIAL ORDERS.

18. Any bill or other matter may be made a Special Order for a particular day or hour by a vote of a majority of the Senators voting, and if it shall not be completed on that day, it shall be returned to its place on the Calendar, unless it shall be made a Special Order for another day; and when a Special Order is under consideration, it shall take precedence of any Special Order or a subsequent Order for the day; but such subsequent Order may be taken up immediately after the previous Special Order has been disposed of.

19. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. After the first reading, unless a motion shall be made by some Senator, it shall be the duty of the President to refer the subject matter to an appropriate committee. No bill shall be amended until it shall have been twice read.

PROCEEDINGS WHEN THERE IS NOT A QUORUM VOTING.

20. If, on taking the question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of a certain proportion of all the Senators to pass it, and it appears that such a number is not present, there shall be a call of the Senate, and if a quorum is ascertained to be present, the bill shall be again read and the question taken thereon; if the bill fail a second time for the want of a quorum, or for the want of the necessary number being present and voting, the bill shall not be finally lost, but shall be returned to the calendar in its proper order.

PRECEDENCE ON MOTION.

21. When a question is before the Senate, no motions shall be received, except those herein specified; which motions shall have precedence as follows, viz:

1. For an adjournment.
2. For the Previous Question.
3. For a Recess.
4. To Lay on the Table.
5. To Postpone Indefinitely.
6. To Postpone to a Day Certain.
7. To Commit to a Standing Committee.
8. To Commit to a Select Committee.
9. To amend.

THE PREVIOUS QUESTION.

22. The previous question shall always be as follows: "Shall the main question be now put?" and until it is decided shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall be first taken upon such amendments in their order without further debate. If such question be decided in the negative, the main question shall be considered as remaining under debate.

OTHER QUESTIONS TO BE TAKEN WITHOUT DEBATE.

23. The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a Senator entitled to the floor.

24. The respective motions to postpone to a day certain or commit, shall preclude debate on the main question.

25. All questions relating to the priority of business shall be decided without debate.

26. When the reading of a paper is called for, except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate.

27. Any Senator requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

QUESTIONS THAT REQUIRE A TWO-THIRDS VOTE.

28. No bill or resolution on its third reading shall be acted on out of the regular order in which it stands on the calendar, and no bill or resolution shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by a vote of two-thirds of the Senators present.

29. No bill or resolution shall be sent from the Senate on the day of its passage, except on the last day of the session, unless otherwise ordered.

DECORUM IN DEBATE.

30. No remark reflecting personally upon the action of any Senator shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

31. When a Senator shall be called to order, he shall take his seat until the President shall have determined whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate, and every question of order shall be decided by the President, subject

to an appeal to the Senate by any Senator, and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

MISCELLANEOUS RULES.

32. When a blank is to be filled, and different sums or time shall be proposed, the question shall be first taken on the highest sum or the longest time.

33. When a question has been once put and decided, it shall be in order for any Senator who shall have voted in the majority, to move a reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate. Nor shall any motion for reconsideration be in order unless made on the same day, or the next following legislative day on which the vote proposed to be reconsidered shall have taken place. Nor shall any question be reconsidered more than once.

34. All bills and resolutions shall take their place upon the calendar according to their number, and shall be taken up in regular order unless otherwise ordered.

35. No smoking shall be allowed within the Senate Chamber during the sessions.

36. Senators and visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session, and shall continue uncovered during the continuance in the Chamber.

37. No Senator or officer of the Senate shall depart the service of the Senate without leave, or receive pay as a Senator or officer for the time he is so absent without leave.

38. No person other than the Executive and Judicial officers of the State, members and officers of the Senate and House of Representatives, unless on invitation of the Presi-

dent, or by a vote of the Senate, shall be admitted within the bar.

39. No rule of the Senate shall be altered, suspended or rescinded without a vote of a majority of all the Senators elected; and no motion to suspend shall embrace more than one rule, or relate to any other subject than the one specified in said motion.

40. In case a less number than a quorum of the Senate shall convene, they are authorized to send the door-keeper or any other person, for any or all absent Senators, as the majority of Senators present shall determine.

41. The yeas and nays upon any question shall be taken and entered upon the Journal upon demand of one-fifth of the Senators present.

The report of the committee was, on motion of Mr. Bernard, adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, informing the Senate that that honorable body had appointed as the House branch of the joint committee to wait upon His Excellency the Governor, Messrs. Rowland, Boykin, Brown of Rowan, Page and Davis of Madison.

Mr. Davidson introduced a joint resolution raising a joint committee on Rules, which was adopted, and Messrs. Davidson, Lockhart and Clarke were appointed as the Senate branch of said committee.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. York: S. R. 1, resolution raising a joint select committee on employees of the General Assembly. Placed upon the Calendar.

By Mr. Staples: S. R. 2, resolution to provide for the codification of the Public Laws. Placed upon the Calendar.

By Mr. Clarke: S. B. 3, bill for the protection of crops in Craven county. Placed upon the Calendar.

..... S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina, and to regulate the catching of the same. Placed upon the Calendar.

By Mr. Harper: S. B. 5, bill authorizing the Treasurer of Johnston county to pay certain school orders. Placed upon the Calendar.

By Mr. Clarke: S. B. 6, bill to amend the charter of the city of Newbern. Placed upon the Calendar.

By Mr. Scott of New Hanover: S. R. 7, resolution to provide for a commission to investigate the matter of the sale and transfer of the Western North Carolina Railroad. Placed upon the Calendar.

By Mr. Glenn: S. B. 8, bill to punish any one for destroying or defacing the registration of deeds and other papers. Placed upon the Calendar.

By Mr. Harper: S. B. 9, bill to amend section 30, chapter 105, Battle's Revisal, in relation to fees of witnesses in attendance upon magistrates' courts. Placed upon the Calendar.

By Mr. Whitaker: S. B. 10, bill to regulate the sessions of the Supreme Court. Placed upon the Calendar.

Mr. Harris introduced a resolution directing the Secretary of the Senate to request the clergy of the city to attend and open the daily sessions of the Senate with prayer. Adopted.

Mr. Lockhart, of committee to wait on His Excellency the Governor, reported it would be the pleasure of His Excellency to communicate with the General Assembly at the hour of 12, to-day.

STANDING COMMITTEES.

The President *pro tempore* announced the following standing committees:

On the Judiciary: Mr. Davidson, chairman; Messrs. Staples, Whitaker, Tucker, Clarke, Lockhart, Burwell, Spruill, Williamson of Davie, Scott of Rockingham.

On Internal Improvements: Mr. Staples, chairman; Messrs. Richardson, King, Dickey, Burwell, Manning, York.

On Propositions and Grievances: Mr. Battle, chairman; Messrs. Glenn, Woodhouse, Jones, Parish, McMillan, Eaves.

On Corporations: Mr. Lockhart, chairman; Messrs. Scott of Rockingham, Faison, Williamson of Edgecombe, Harper, Stowe, Hanes.

Mr. York moved that Mr. H. C. Hampton, the claimant of the seat of Senator from the 33d Senatorial district, be admitted and qualified.

Mr. Scott, of New Hanover, moved the matter be referred to the committee on Privileges and Elections.

On division, the motion to refer was lost, ayes 14, noes 21.

The motion of Mr. York was then adopted, and Mr. Hampton took the oath of office and was seated.

On motion of Mr. Staples, the papers of Mr. J. M. Brower, claiming a seat as Senator from the 33d Senatorial district, were referred to the committee on Privileges and Elections.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. R. 1, resolution raising a joint select committee on the employees of this General Assembly, was adopted and ordered sent to the House of Representatives without engrossment.

Mr. Davidson (by consent) introduced a resolution author-

izing the President *pro tempore* to appoint four pages for the Senate. Adopted, and L. P. Vaughan, Clarence Busbee, Henry W. Miller and Codie Hood were appointed.

Mr. Williamson of Edgecombe, (by consent) introduced S. R. 11, resolution to improve the heating arrangement of the Senate chamber.

On motion of Mr. Williamson of Edgecombe, the rules were suspended, the resolution was adopted, and ordered sent to the House of Representatives without engrossment.

On motion of Mr. Tucker, the Senate took recess for fifteen minutes.

The Senate was called to order.

A message was received from the House of Representatives, transmitting a message from His Excellency the Governor, with accompanying documents, and proposing to print the same.

On motion of Mr. Mebane, the reading of the message was dispensed with, and the proposition of the House to print was concurred in.

A message was received from the House of Representatives, announcing the appointment, as House Branch of Joint Committee on Rules, of Messrs. Vaughan, Carter, Rose, Blaisdell, and Bledsoe.

Mr. Davidson moved that the regular hour for the meeting of the Senate shall be eleven o'clock a. m., until further ordered. Adopted.

On motion of Mr. Finger, the Senate adjourned.

THIRD DAY.

SENATE CHAMBER, January 7th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was read and approved.

STANDING COMMITTEES.

The President *pro tempore* announced the following Standing Committees:

On Finance: Mr. Richardson, chairman; Messrs. Newland, Oates, King, Burwell, Hampton, Finger.

On Banks and Currency: Mr. Cunningham, chairman; Messrs. Spruill, Williamson of Edgecombe, Davidson, Harris, Jenkins, Hampton.

On State Debt: Mr. Finger, chairman; Messrs. Richardson, Harris, Cunningham, Hanes, Blue, Bernard.

On Privileges and Elections: Mr. Respass, chairman; Messrs. Harris, Lockhart, Gudger, Dever, Richardson, Spears.

On Insane Asylums: Mr. York, chairman; Messrs. Mebane, Woodhouse, Burwell, Carter, Harris, Gudger.

On Asylum for the Deaf, the Dumb and the Blind: Mr. Mebane, chairman; Messrs. Harris, Manning, Newsom, Faison, Scott of New Hanover, Davidson.

On Penal Institutions: Mr. Whitaker, chairman; Messrs. Woodhouse, Williamson of Edgecombe, Scott of New Hanover, Foil, Mebane, Parish.

On Education: Mr. Merritt, chairman; Messrs. Carr, Finger, Hanes, Newsom, Harper, Dickey.

On Salaries and Fees: Mr. Oates, chairman; Messrs. Tucker, Jones, Pridgen, Scott of Rockingham, Williamson of Davie, Newland.

On Agriculture, Mechanics and Mining: Mr. Harper, chairman; Messrs. Battle, Manning, Stowe, Faison, Cunningham, Tucker.

On Insurance: Mr. Spruill, chairman; Messrs. Clarke, Scott of New Hanover, Gudger, Dickey, Stowe, Hampton.

On Engrossed Bills: Mr. Carr, chairman; Messrs. Bernard, Spears, Hanes, Foil, Scott of Rockingham, Tucker.

On Claims: Mr. Glenn, chairman; Messrs. Oates, Blue, Wynne, Jenkins, Dever, Pridgen.

On Military Affairs: Mr. Stowe, chairman; Messrs. Bernard, Scott of New Hanover, Carter, Hampton, Gudger, Jones.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. York: S. R. 12, resolution in regard to counting the votes for Governor and other officers. Placed upon the Calendar.

S. R. 13, resolution for the relief of A. M. Church of Wilkes county. Placed on the Calendar.

By Mr. Williamson of Edgecombe: S. B. 14, bill to amend chapter 141, acts of 1879, and to restore to the people of the State the election of justices of the peace and county commissioners. Referred to the committee on Judiciary.

By Mr. Staples: S. B. 15, bill to amend the constitution of North Carolina in relation to the Public School Fund. Referred to the committee on Education.

S. B. 16, bill to amend the constitution of North Carolina in relation to taxation. Referred to the committee on Judiciary.

S. B. 17, bill to amend section 31, chapter 17, Rattle's Revisal, in relation to the statute of limitations. Referred to the committee on Judiciary.

S. B. 18, bill to provide special jurors in capital cases. Referred to the committee on Judiciary.

S. B. 19, bill to incorporate Oak Ridge Institute. Referred to the committee on Corporations.

By Mr. Williamson of Davie: S. B. 20, bill to repeal chapter 24, acts Special Session, 1880. Referred to the committee on Judiciary.

By Mr. Harper: S. B. 21, bill to make the use of language calculated and intended to bring about a breach of the peace a misdemeanor. Referred to the committee on Judiciary.

By Mr. Clarke: S. B. 22, bill to regulate the size of the meshes of drag-nets and seines to be used in the waters of the Neuse and Trent rivers, and their tributaries. Referred to the committee on Propositions and Grievances.

By Mr. Finger: S. B. 23, bill to secure the better drainage of the low-lands in North Carolina. Referred to the committee on Propositions and Grievances.

By request,

S. B. 24, bill to prohibit the sale of intoxicating liquors in one mile of a public school-house. Referred to the committee on Education.

By Mr. Newland: S. B. 25, bill for the relief of the sureties of Robert H. McCall, late sheriff of Caldwell county. Referred to the committee on Propositions and Grievances.

By Mr. Williamson of Edgecombe: S. B. 26, bill to repeal so much of chapter 232, acts of 1879, as relates to Draughan's school-house and church in Edgecombe county. Referred to the committee on Propositions and Grievances.

By Mr. Scott of New Hanover: S. B. 27, bill to amend section one, chapter six, Private Acts of 1870-'71. Referred to the committee on Propositions and Grievances.

By Mr. Tucker: S. B. 28, bill to change the rules for taking depositions and to amend section 343, of chapter 17, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Burwell: S. B. 29, bill to allow both parties to offer evidence in an application for continuance. Referred to the committee on Judiciary.

S. B. 30, bill to amend section 10, chapter 43, Battle's Revisal. Referred to the committee on the Judiciary.

S. B. 31, bill to remove suits and other proceedings from clerks who are interested therein, or related to the parties. Referred to the committee on Judiciary.

By Mr. Williamson of Edgecombe: S. R. 32, resolution to enquire into the official conduct of David Shenck, Judge, &c., at the late term of the Superior Court of Pamlico county. Placed upon the calendar.

REPORT FROM JOINT SELECT COMMITTEE:

Mr. Davidson, from Joint Select committee on Rules, reported the following

JOINT RULES OF ORDER.

1. Each House shall transmit to the other all papers on which any bill or resolution shall be forwarded.

2. When a bill or resolution which shall have passed in one House shall be rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3. Messages from one House to the other, shall be communicated by their clerks respectively, unless the House transmitting the message shall specially direct otherwise.

4. It shall be in the power of either House to amend any amendment made by the other, to any bill or resolution.

5. In every case of difference between the two houses, upon any subject of legislation, either House may request a conference, and appoint a committee for the purpose, and the other shall also appoint a committee to confer. The committee shall meet at such time and place as shall be appointed by the chairman of the committee, on the part of the House requesting such committee. The conferees shall state to each other verbally, or in writing, as either shall choose, the

views of their respective Houses, and confer freely thereon. The committee shall report in writing, and shall be authorized to report such modifications or amendments as they may think advisable. But no committee on conference shall consider or report on any matters, except those directly at issue between the two Houses. The papers shall be left with the conferees of the House assenting to such conference, and they shall present the report of the committee to their house; when such House shall have acted thereon, they shall transmit the same and the papers relating thereto to the other with a message certifying its action thereon.

6. It shall be in order for either House to recede from any subject matter of difference existing between the two Houses, at any time previous to conference, whether the papers on which such difference arose are before the House receding formally or informally, and on such vote to recede the same number shall be required to constitute a quorum to act thereon and to assent to such receding, as was required on the original question out of which the difference arose.

7. All joint committees of the two Houses, and all committees of conference shall consist of three Senators and five members of the House of Representatives, unless otherwise specially ordered by concurrent resolution.

8. There shall be printed on joint order, unless otherwise specified, two hundred and twenty copies of all messages from the Governor, all reports of standing or select committees, and all reports or communications made in pursuance of law.

9. When the same document shall, by separate orders, be directed to be printed by both Houses, it shall be regarded as but one joint order, unless otherwise expressly directed by either House.

10. The Clerk of each House shall receive from the Public Printer all matter ordered by their respective Houses, and shall keep a book and enter therein the time of reception by him, of every such bill or document, and the num-

ber of copies received, and shall cause each and any of such bills or documents to be immediately placed upon the desks of the members.

11. The two hundred and twenty copies of messages from the Governor, reports of committees, and reports or communications made in pursuance of law, ordered to be printed by section eight, shall be distributed as follows: to the Senate, seventy copies; to the House of Representatives, one hundred and fifty copies.

12. The committee on Enrolled Bills shall not report any bill, resolution, or amendment to any bill or resolution, as correctly enrolled, nor shall the presiding officer of either House sign the same, in which there shall be any interlineation or erasure whatsoever.

13. There shall be joint standing committees consisting of three members of the Senate, and five members of the House of Representatives, on the following subjects:

1. On Public Buildings and Grounds.
2. On Library.
3. On Enrolled Bills.
4. On Printing.
5. On Apportionment of Representation.
6. On Election of Justices of the Peace.

On motion of Mr. Bernard, the report was adopted, and the Senate Rules of Order and the Joint Rules were ordered to be printed.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. R. 2, resolution to provide for the codification of the Public Laws. Referred to the committee on the Judiciary.

S. B. 3, bill for the protection of crops of Craven county. Referred to the committee on Propositions and Grievances.

S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina and to regulate the catching of the same. Referred to the committee on Propositions and Grievances.

S. B. 5, bill authorizing the treasurer of Johnston county to pay certain school orders. Referred to the committee on Claims.

S. B. 6, bill to amend the charter of the city of Newbern. Referred to the committee on Corporations.

S. B. 8, bill to punish any one for destroying or defacing the registration of deeds and other papers. Referred to the committee on Judiciary.

S. B. 9, bill to amend section 30, chapter 105 of Battle's Revisal, in relation to fees of witnesses in attendance upon magistrates' courts. Referred to the committee on Salaries and Fees.

S. B. 10, bill to regulate the sessions of the Supreme Court. Referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting without engrossment an amendment to

S. R. 1, H. R. 2, resolution raising a Joint Select committee on the employees of this General Assembly.

On motion, the amendment was concurred in.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. R. 12, resolution in relation to counting the votes for Governor and other officers, was adopted and ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives proposing to go into an election of an Enrolling Clerk for this General Assembly at the hour of 12, to day; announcing that Mr. A. D. Brooks of Alamance, and Mr. Paschal Norfleet of Edgecombe, were in nomination; and that Messrs. Grainger and Page had been appointed tellers on the part of the House.

On motion, the proposition was concurred in.

The hour of 12 m. having arrived, the Senate proceeded to the election of an Enrolling Clerk.

Mr. York placed in nomination Mr. A. D. Brooks of Alamance.

Mr. Williamson of Edgecombe nominated Mr. Paschal Norfleet of Edgecombe.

Messrs. Battle and Williamson of Edgecombe were appointed tellers on the part of the Senate.

The Senate proceeded to vote as follows:

FOR MR. BROOKS—Messrs. Battle, Bernard, Blue, Burwell, Carr, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Gudger, Harper, Harris, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Respass, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and York—32.

FOR MR. NORFLEET—Messrs. Carter, Clarke, Hanes, Newsum, Scott of New Hanover, Spears, Williamson of Edgecombe and Wynne—8.

By consent,

Mr. Staples introduced S. R. 33, resolution of instruction to our Senators and Representatives in Congress in relation to the Educational Fund.

On motion of Mr. Staples, the rules were suspended, and the resolution was adopted, and ordered engrossed.

By consent,

Mr. York introduced S. R. 34, resolution raising a Joint

Select committee on immigration and the manufacturing interests of the State.

On motion of Mr. York, the rules were suspended, and the resolution was adopted and ordered engrossed.

A message was received from the House of Representatives transmitting, without engrossment,

House substitute for S. R. 11, resolution for the improvement of the heating arrangement of the Senate Chamber, proposing to raise a Joint Select committee on the better heating of the Capitol building, and for other purposes.

On motion of Mr. Williamson of Edgecombe, the substitute was adopted, and Messrs. Williamson of Edgecombe and Harper were appointed Senate branch of said committee.

By consent,

Mr. Davidson introduced the following:

“*Resolved*, That the Door-keepers be instructed to purchase two dozen chairs and two settees for use in the lobbies and rooms of the Senate Chamber: *Provided*, The cost of the same shall not exceed sixty dollars.” Adopted.

By consent,

Mr. Williamson of Edgecombe, introduced

S. R. 35, resolution to enquire of the Governor whether the gauge of any railroad has been changed since March 15th, 1875, and if so, whether the proceedings to recover penalties have been instituted as required by the act of March 15th, 1875. Placed upon the Calendar.

Mr. Battle, of tellers to superintend the election of an Enrolling Clerk for this General Assembly, reported that

Mr. Brooks received 104 votes;

Mr. Norfleet received 40 votes.

Mr. Brooks was declared elected, took the oath of office and entered upon his duties.

On motion of Mr. Williamson of Edgecombe, the Senate adjourned.

FOURTH DAY.

SENATE CHAMBER, January 8th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was read and approved.

JOINT STANDING COMMITTEES.

The President *pro tempore* announced the following :

Senate Branch Joint Committee on Enrolled Bills : Mr. Carr, chairman ; Messrs. Scott of Rockingham, Clarke.

Senate Branch Joint Committee on Printing : Mr. Williamson of Davie, chairman ; Messrs. Harper and Hanes.

Senate Branch Joint Committee on Library : Mr. Merritt, chairman ; Messrs. Carr and Williamson of Edgecombe.

Senate Branch Joint Committee on Appointment of Justices of the Peace : Mr. Respass, chairman ; Messrs. Gudger and Wynne.

Senate Branch Joint Committee on Public Buildings and Grounds : Mr. Bernard, chairman ; Messrs. Eaves and Parish.

PETITIONS AND MEMORIALS.

Petitions and memorials were presented as follows :

By Mr. Davidson : Petition of the Little Ivy Baptist church, in Madison county, praying for the enactment of a prohibitory liquor law. Referred to the committee on Propositions and Grievances.

Petition of Morgan Hill Baptist church, of Buncombe county, praying for the passage of a law prohibiting the manufacture and sale of liquors. Referred to the committee on Propositions and Grievances.

By Mr. Lockhart: Petition of citizens of Anson county, asking the passage of an act prohibiting the sale of liquors within two miles of Pleasant Hill church and Pee Dee Academy. Referred to the committee on Propositions and Grievances.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Richardson: S. B. 36, bill to perfect the organization of the Carolina Central Railroad Company. Referred to the committee on Corporations.

By Mr. Williamson of Davie: S. R. 37, resolution in regard to education. Referred to the committee on Education.

By Mr. Harper: S. B. 38, a bill to amend section 22, chapter 105, in relation to fees of Constables. Referred to the committee on Salaries and Fees.

By Mr. Staples: S. B. 39, bill to amend the Constitution of North Carolina, in relation to the election and terms of Senators. Referred to the committee on Judiciary.

By Mr. York: S. R. 40, resolution forming a Joint Committee on the Fish Interests. Placed upon the Calendar.

By Mr. Whitaker: S. B. 41, bill to incorporate the Superannuated Fund Society. Referred to the committee on Corporations.

By Mr. Newsom: S. B. 42, bill to amend the School Law of 1875, 1876 and 1877. Referred to the committee on Education.

By Mr. Williamson of Davie: S. B. 43, bill in relation to trials in courts of Justices of the Peace. Referred to the committee on Judiciary.

By Mr. Clarke: S. B. 44, bill to appoint competent Judges and Inspectors of Elections. Referred to the committee on Judiciary.

By Mr. Davidson: S. R. 45, resolution increasing the number of the Judiciary Committee to twelve.

On motion of Mr. Davidson, the rules were suspended and the resolution was adopted.

The President *pro tempore* appointed Messrs. Glenn and Spears as additional members of said Committee.

By Mr. Eaves: S. B. 36, bill to provide for improving the low-lands of Broad river in Rutherford county. Referred to the committee on Corporations.

Petitions upon the Calendar were referred as follows:

Petition to change so much of chapter 232, Acts of 1879, as relates to Draughan's church in Edgecombe county. Referred to the committee on Propositions and Grievances.

Petition of A. J. Jackson to be allowed to contest the seat of the Senator from Halifax. Referred to the committee on Privileges and Elections.

Petition for a no fence law in a portion of Craven county. Referred to the committee on Propositions and Grievances.

CALENDAR.

S. R. 13, resolution for the relief of A. M. Church of Wilkes county, was taken up on its second reading.

On motion of Mr. Richardson, it was referred to the committee on Finance.

By consent,

Mr. Respass introduced S. B. 47, bill for the relief of tin and book peddlers. Referred to the committee on Propositions and Grievances.

Mr. Scott of New Hanover announced Mr. Pridgen, Senator-elect from the — District, as detained from his seat on account of sickness.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting without engrossment,

H. B. 36, S. B. 48, bill to appoint two cotton weighers for the town of Wilson.

On motion of Mr. Battle, the rules were suspended, the bill passed its several readings, and was ordered enrolled.

A message was received from the House transmitting, without engrossment,

H. R. 7, S. R. 49, resolution to raise a joint committee upon the subject of the sale and manufacture of spirituous liquors.

On motion, the rules were suspended, and the resolution was adopted.

On motion of Mr. Harris, the Senate adjourned.

FIFTH DAY.

SENATE CHAMBER, January 10th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

Mr. Scott of Rockingham, announced the presence of Mr. Spruill, Senator elect from the 2d Senatorial district.

Mr. Spruill came forward, took the oath of office, and was seated.

The President *pro tempore* announced the following as the Senate branch of

Joint Committee on Prohibition: Mr. Tucker, Chairman, Messrs. Dickey, Hanes, Merrit and Harris.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Merritt: Petition of citizens of Chapel Hill, praying for a prohibitory liquor law. Referred to the joint committee on Prohibition.

By Mr. Whitaker: Petition of R. T. Vann and others asking for the passage of a prohibitory liquor law to be submitted to the popular vote for ratification. Referred to the joint committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Lockhart: S. B. 6, bill to amend the charter of the city of Newberne, recommending it do pass;

S. B. 19, bill to incorporate Oak Ridge Institute, recommending it do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Finger: S. B. 50, bill to amend chapter 135, Public Laws of 1879, so that Catawba county may be included in its provisions. Referred to the committee on Judiciary.

By Mr. Scott of New Hanover: S. B. 51, bill in regard to prisoners confined in jails, guard-houses and work-houses of North Carolina. Referred to the committee on Propositions and Grievances.

By Mr. Williamson of Davie: S. B. 52, bill to authorize

the speedy publication of a new compilation and revisal of all the public statute laws of the State of North Carolina. Referred to the committee on Judiciary.

By Mr. Scott of Rockingham: S. R. 53, resolution providing a room for the committee on Enrolled Bills. Placed upon the Calendar.

By Mr. Clarke: S. B. 54, bill to amend chapter 222, Laws of 1879. Referred to the committee on Insurance.

By Mr. Newsome: S. B. 55, bill to incorporate Zoar Baptist Church in the county of Northampton. Referred to the committee on Corporations.

By Mr. Whitaker: S. B. 56, bill to appoint cotton weighers for the towns of Enfield, Weldon and Scotland Neck. Referred to the committee on Corporations.

By Mr. Tucker: S. B. 57, bill for the better protection of partridges. Referred to the committee on Judiciary.

By Mr. Williamson of Davie: S. B. 58, bill to provide for paying jurors in inquests held by coroners. Referred to the committee on Judiciary.

By Mr. Respass: S. B. 59, bill for the relief of certain persons liable to road duty. Referred to the committee on Propositions and Grievances.

On motion of Mr. Scott of Rockingham, the rules were suspended, and

S. R. 53, resolution to provide a room for the committee on Enrolled Bills, was taken up and adopted, and ordered sent to the House of Representatives without engrossment.

CALENDAR.

Bills and resolutions were taken up and disposed of as follows:

S. R. 7, resolution to provide for a commission to investigate the matter of the sale and transfer of the Western North Carolina Railroad, on its second reading.

Mr. Finger moved it be referred to the committee on Internal Improvements; upon which

Mr. Clarke demanded the ayes and noes, which were ordered, and the motion to refer prevailed, ayes 29, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Battle, Bernard, Burwell, Cunningham, Davidson, Dever, Dickey, Faison, Finger, Foil, Glenn, Gudger, Harris, Jones, King, Lockhart, Manning, Merritt, Newland, Oates, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie and York—29.

Those voting in the negative were:

Messrs. Carter, Clarke, Eaves, Hanes, Jenkins, Newsom, Scott of New Hanover, Spears, Williamson of Edgecombe and Wynne—10.

S. R. 35, resolution to enquire of the Governor whether the guage of any railroad has been changed since March 15th, 1875; and if so, whether the proceedings to recover penalties, have been instituted as required by the act of March 15th, 1875, on its second reading.

Mr. York moved it be referred to the committee on Judiciary, on which

Mr. Williamson of Edgecombe demanded the ayes and noes, which were ordered, and the motion to refer prevailed, ayes 28, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Battle, Bernard, Burwell, Cunningham, Davidson, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Jones, King, Lockhart, Manning, Merritt, Newland, Oates, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie, and York—28.

Those voting in the negative were:

Messrs. Carter, Clarke, Eaves, Hanes, Harris, Jenkins, Newsom, Scott of New Hanover, Spears, Williamson of Edgecombe and Wynne—11.

S. R. 40, resolution forming a joint committee on Fish Interests, was adopted and ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that honorable body in

S. R. 12, resolution to count the vote for Governor and other officers.

Also announcing the concurrence of that honorable body in

S. R. 53, H. R. 11, resolution providing a room for the committee on Enrolled Bills.

Also announcing the appointment of the following gentlemen to constitute the House branch of joint committee on Enrolled Bills:

Messrs. Green of Orange, Worthington, Gatling, Blaisdell and Bledsoe.

Joint committee on Library:

Messrs. Moore, Green of Craven, Turner of Stanly, Webster and Robbins.

Joint committee on Joint Rules:

Messrs. Hanner, Carter, Rose, Bledsoe and Blaisdell.

Committee on Prohibition:

Messrs. Bowman, Day, Grainger, Culbreth, Webster, Washburn, Blaisdell and Davis of Madison.

PROTEST.

Mr. Williamson of Edgecombe, for himself and others, submitted the following protest:

“PROTEST AGAINST THE ACTION OF THE MAJORITY OF THE SENATE IN ADMITTING H. C. HAMPTON AS SENATOR FROM THE THIRTY-THIRD SENATORIAL DISTRICT.

The undersigned Senators respectfully protest against the

action of the Senate in admitting to a seat on the floor of the Senate H. C. Hampton, as the Senator from the 33d District, for the following reasons:

The certificate of election filed by H. C. Hampton was in the following words, and signed only by one of the Sheriffs of the District:

"STATE OF NORTH CAROLINA,
Surry county.

I, Samuel H. Taylor, Sheriff of said county, and one of the returning officers of the 33d Senatorial District, of said State, composed of the counties of Surry and Yadkin, do certify that on the day appointed by law for the comparing of the polls of said District at Rockford in said District, I met Samuel C. Welch, Sheriff of Yadkin; that on comparing said polls it appeared that H. C. Hampton, the Democratic candidate, received in Surry county 1,307 votes, and John M. Brower, the Republican candidate, received 1,067 votes; and in Yadkin county Columbus Hampton received 958 votes, and John M. Brower received 1,115 votes. And the said Samuel C. Welch, Sheriff aforesaid, and the undersigned, Sheriff as aforesaid, disagreeing as for whom the votes cast for Columbus Hampton in said county of Yadkin, should be counted, I, Samuel H. Taylor, Sheriff as aforesaid, do declare that of all the votes polled in said District, Henry Columbus Hampton received a majority of eighty-three votes, and I declare said Henry Columbus Hampton duly elected as Senator for said 33d Senatorial District of North Carolina.

Given under my hand and seal. Done at Rockford, the 9th day of November, 1880.

(Signed)

SAM'L H. TAYLOR,
By John C. Kopp,
Dept. Sheriff of Surry county."

The certificate filed by John M. Brower, was likewise signed by one of the sheriffs of the district, and in these words:

"STATE OF NORTH CAROLINA,
County of Yadkin.

I, Samuel C. Welsh, sheriff of Yadkin county, do hereby certify that at the election held on the 2d day of November, A. D. 1880, in the 33d Senatorial District of North Carolina, composed of the counties of Yadkin and Surry, to elect a member to represent the district in the General Assembly, that H. C. Hampton received 1,307 votes, that Columbus Hampton received 958 votes, and that John M. Brower received 2,182 votes, a majority for John M. Brower over H. C. Hampton of 875 votes, and a majority for John M. Brower over Columbus Hampton of 1,224 votes. Given under my hand and seal at Røckford, Surry county, North Carolina, this the 9th day of November, A. D. 1880.

(Signed)

S. C. WELSH,
Sheriff of Yadkin county.

And now whereas, neither claimant had such a certificate as the law commands, neither had a *prima facie* case, the one being on the same footing as the other, in that one sheriff had certified the election of the one, and the other in effect the other, the two sheriffs above recited constituting the returning board for said thirty-third district.

And whereas, there was no evidence before the Senate touching the claims of either save and except a verbal statement by the Senator from Wilkes, (Mr. York) that H. C. Hampton and Columbus Hampton were the same person;

Therefore we, the undersigned, do enter this, our solemn protest against the action of the majority of the Senate in admitting the said H. C. Hampton, without according any hearing whatever to the said John M. Brower, the said

Hampton having been seated even before the appointment of a committee on Privileges and Elections in defiance of the wishes of the minority, who were anxious that both paper writings should be submitted to said committee, and an impartial hearing accorded to both claimants.

(Signed)

WALTER P. WILLIAMSON,
Senator 5th District.

WM. E. CLARKE,
Senator 8th District.

HENRY E. SCOTT,
Senator 12th District.

R. W. KING,
Senator 11th District.

OSCAR J. SPEARS,
Senator 26th District.

R. W. WYNNE,
Senator 18th District.

LEWIS HANES,
Senator 31st District.

SAMUEL G. NEWSOM,
Senator 3rd District.

J. B. EAVES,
Senator 39th District.

H. W. CARTER,
Senator 19th District.

W. K. JENKINS,
Senator 21st District."

On motion of Mr. Williamson of Edgecombe, the protest was ordered spread upon the Journal.

Mr. Respas, from the committee on Privileges and Elections, submitted the following report:

"The committee on Privileges and Elections unanimously agree that H. C. Hampton is entitled to retain his seat as Senator in this body."

Mr. Scott of New Hanover moved the report be recom-
mitted to the committee on Privileges and Elections. Lost.

On motion of Mr. York, the report was adopted.

By consent,

Mr. Dortch introduced S. B. 60, bill to amend chapter 27
of Battle's Revisal. Referred to the committee on Judi-
ciary.

S. B. 61, bill to amend chapter 63, of acts of 1879. Re-
ferred to the committee on Judiciary.

By Mr. Clarke: S. B. 62, bill to devote the entire poll tax
to the common schools by constitutional amendment. Re-
ferred to the committee on Education.

By Mr. Davidson: S. R. 63, resolution in relation to the
pay of the Engrossing Clerks and Enrolling Clerk. Referred
to the joint committee on Employees of the General As-
sembly.

By Mr. Scott of New Hanover: S. R. 64, resolution pro-
viding for a joint committee to investigate the manner of
treatment of convicts on the Western North Carolina and
other railroads. Placed upon the Calendar.

On motion of Mr. Eaves, S. B. 46, bill to provide for the
improvement of the low lands on Broad river in Rutherford
county, was withdrawn from the committee on Corporations,
and referred to the committee on Propositions and Griev-
ances.

By consent,

Mr. Spears introduced S. R. 65, resolution to pay to J. M.
Brower, contestant from the 33d Senatorial District, mileage
and per diem.

On motion of Mr. Spears, the rules were suspended, the
resolution was adopted, and ordered to be engrossed.

A message was received from the House of Representa-
tives, transmitting without engrossment,

H. R. 19, S. R. 66, resolution concerning the canvass of
votes for State officers.

On motion of Mr. Merritt, the rules were suspended, the resolution was adopted and ordered enrolled.

Also, a message from the House of Representatives, transmitting a message from His Excellency the Governor, with the report of the State Board of Health, and proposing that two hundred and fifty copies of said report be printed. The proposition to print was concurred in.

On motion, the Senate adjourned.

SIXTH DAY.

SENATE CHAMBER, January 11th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Rich.

The Journal of yesterday was approved.

Mr. Cunningham announced Mr. Parish, one of the Senators-elect from the 20th District, present.

Mr. Parish took the oath of office, and entered upon his duties.

Mr. Williamson of Davie was announced absent on account of sickness.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Davidson: S. B. 28, bill to change the rules for taking depositions and to amend section 343, chapter 17, Battle's Revisal, recommending it be printed and recommended to the committee on Judiciary. It was so ordered.

By Mr. Clarke: S. B. 30, bill to amend section 10, chapter 43, Battle's Revisal, recommending it do pass.

By Mr. Burwell: S. B. 43, bill in relation to trials in courts of Justices of the Peace, recommending it do not pass.

By Mr. Whitaker: S. B. 21, bill to make the use of language calculated and intended to bring about a breach of the peace a misdemeanor, recommending it do not pass.

By Mr. Scott of Rockingham: S. B. 44, bill to appoint competent Judges and Inspectors of Elections, recommending it do not pass.

By Mr. Spears: S. B. 29, bill to allow both parties to offer evidence in an application for continuance, recommending it do not pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 25, bill for the relief of the sureties of Robt. H. McCall, late sheriff of Caldwell county, recommending it do pass.

Mr. Battle, from same committee, also reported back sundry petitions, recommending their reference to the joint committee on Prohibition. They are so referred.

From the joint select committee on heating the Capitol:

Mr. Williamson of Edgecombe, submitted a report, which was ordered to be placed upon the Calendar.

From the committee on Engrossed Bills:

By Mr. Scott of Rockingham, as properly engrossed, S. R. 40, resolution forming a Joint Commission on Fish Interests.

S. R. 65, resolution to pay J. M. Brower, contestant from the 33d District, mileage and per diem.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Cunningham: S. B. 67, bill for the better protection of married women. Referred to the committee on Judiciary.

By Mr. York: S. B. 68, bill to prevent fraud and-forgery. Referred to the committee on Judiciary.

By Mr. Mebane: S. B. 69, bill to revise and consolidate the public school law of North Carolina. Referred to the committee on Education.

By Mr. Faison: S. B. 70, bill to amend section 1, chapter 48, Battle's Revisal. Referred to the committee on Propositions and Grievances.

By Mr. Manning: S. B. 71, bill to amend chapter 27, Laws of 1879. Referred to the committee on Finance.

By Mr. Tucker: S. B. 72, bill to require the registration of deeds. Referred to the committee on Judiciary.

S. B. 73, bill to amend chapter 79, Laws of 1879. Referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting engrossed copy of

H. B. 2, S. B. 74, bill to punish injury to telegraph lines. Referred to the committee on Judiciary.

Mr. Finger introduced S. B. 75, bill to amend chapter 141, Laws of 1876-'77, relative to county government. Referred to the committee on Propositions and Grievances.

Mr. Lockhart introduced S. R. 76, resolution to pay clerks of Board of State Canvassers. Placed upon the Calendar.

Mr. Davidson introduced S. B. 77, bill to expedite the trial of criminal actions. Referred to the committee on Judiciary.

Mr. Newsom introduced S. B. 78, bill to incorporate Mount Zion Baptist Church, near Margarettsville, in the county of Northampton. Referred to the committee on Corporations.

Mr. Scott of Rockingham introduced S. B. 79, bill to amend chapter 195, Laws of 1874-'75, for the better protection of partridges and other birds. Referred to the committee on Propositions and Grievances.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 6, bill to amend the charter of the city of Newbern, passed its several readings, and was ordered engrossed and sent to the House of Representatives.

S. B. 19, bill to incorporate Oak Ridge Institute, passed its several readings and was ordered engrossed and sent to the House of Representatives.

H. R. 76, resolution to pay clerks of Board of State Canvassers, passed its several readings, and was ordered engrossed and sent to the House of Representatives.

S. B. 25, bill for the relief of the sureties of Robert H. McCall, late sheriff of Caldwell county, passed it several readings.

On motion of Mr. Newland, it was ordered to be sent to the House of Representatives without engrossment.

S. R. 64, resolution providing for a joint committee to investigate the manner of treatment of convicts on the Western North Carolina and other Railroads, on its second reading.

Pending consideration, the hour for the meeting of the two Houses of the General Assembly to canvass the votes cast in the election in November, 1880, for Executive officers of the State, having arrived, a message was sent to the House of Representatives, informing that honorable body that upon the return of the messenger the Senate would repair to the hall of the House for the purpose above stated.

The Senate then proceeded to the House; and for proceedings of the two Houses in joint assembly, see House Journal of this date. At the expiration of the joint session, the Senate returned to its own chamber, and was called to order.

On motion of Mr. Cunningham, the Senate adjourned.

SEVENTH DAY.

SENATE CHAMBER, January 12th, 1881.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Rumble of Salisbury.
The Journal of yesterday was read and approved.

COMMUNICATIONS.

The President *pro tempore* laid before the Senate a communication from J. McLeod Turner, Keeper of the Capitol, which was read.

The President *pro tempore* announced as Senate branch of *Joint Committee on Apportionment*: Messrs. Richardson, Davidson and Hanes.

PETITIONS.

Petitions were presented and disposed of, as follows:

By Mr. Cunningham, petition from Olive Branch church, Person county. Referred to the committee on Prohibition.

By Mr. Burwell, petition from certain citizens of Mecklenburg county, asking the sale of intoxicating liquors be prohibited within three miles of Mowing Glade church, in said county. Referred to the committee on Prohibition.

By Mr. Williamson of Edgecombe, petition of citizens of Tarboro praying for a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted, as follows:

From committee on Corporations:

By Mr. Lockhart, S. B. 36, bill to perfect the organization of the Carolina Central Railroad Company, reporting an amendment, and as amended recommending it do pass.

From committee on Finance :

By Mr. Richardson, S. R. 13, resolution for the relief of A. M. Church of Wilkes county, recommending it do not pass.

From the committee on Judiciary :

By Mr. Williamson of Davie, S. B. 21, bill to repeal chapter 24, Acts Special Session 1880, recommending it do pass.

From committee on Education :

By Mr. Merritt, S. R. 37, resolution in regard to education, recommending it do not pass.

S. B. 42, bill to amend the School Law of 1875-'76, and 1879, recommending it do not pass.

From the committee on Propositions and Grievances :

By Mr. Battle, S. B. 22, bill to regulate the size of the meshes of drag-nets and seines to be used in the waters of Neuse and Trent rivers and their tributaries, recommending it do pass.

S. B. 3, bill for the protection of crops in Craven county, recommending it do pass.

S. B. 47, bill for the relief of tin and book peddlers, recommending it do pass.

S. B. 23, bill to secure the better drainage of the low lands in North Carolina, recommending it be referred to the committee on Judiciary. It was so ordered.

From the committee on Engrossed Bills :

By Mr. Scott of Rockingham, as properly engrossed :

S. B. 6, bill to amend the charter of the city of Newbern.

S. R. 76, resolution to pay clerks of the Board of State Canvassers.

And the same were transmitted to the House of Representatives for concurrence.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. York: S. B. 80, bill to amend sub-division 7, section 41, chapter 78, Battle's Revisal. Referred to the committee on Judiciary ;

S. B. 81, bill to amend section 37, chapter 105, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Respass: S. R. 82, resolution of thanks to W. H. Vanderbilt. Placed upon the Calendar.

By Mr. Lockhart: S. B. 83, bill to amend chapter 22, Laws of 1879, being an act in relation to probate of deeds. Referred to the committee on Judiciary.

By Mr. Scott of New Hanover: S. B. 84, bill supplemental to an act creating a State Board of Health. Referred to the committee on Finance.

By Mr. Davidson: S. B. 85, bill to commute, compromise and settle certain claims against the State of North Carolina. Referred to the committee on Claims.

By Mr. Spruill: S. B. 86, bill to amend chapter 4, title 9, Code of Civil Procedure. Referred to the committee on Judiciary.

By Mr. Mebane: S. B. 87, bill to prevent the desecration of, and disturbance on, the Sabbath day. Referred to the committee on Propositions and Grievances.

By Mr. Scott of New Hanover: S. B. 88, bill to insure the annual registration of vital statistics. Referred to the committee on Propositions and Grievances.

By Mr. Williamson of Davie: S. B. 89, bill to create a Railroad Commission for North Carolina. Referred to the committee on Internal Improvements.

By Mr. Harris: S. B. 90, bill to amend chapter 13, Private Laws of 1879, in regard to Wake Forest College. Referred to the committee on Propositions and Grievances.

By Mr. Tucker: S. B. 91, bill to amend rule 15a, section 20, chapter 63, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Stowe: S. B. 92, bill to repeal chapter 264, Laws of 1879, "an act to reduce the costs of criminal prosecutions." Referred to the committee on Judiciary.

By Mr. Staples: S. R. 93, resolution in behalf of disabled and maimed soldiers. Placed upon the Calendar.

By Mr. Dortch: S. B. 94, bill to re-enact chapter 40 of the Revised Code, entitled "Draining and Damming Low Lands." Referred to the committee on Judiciary.

S. B. 95, bill in regard to practice in criminal actions. Referred to committee on Judiciary.

S. B. 96, bill for revising and digesting the Public Statute-Laws of the State. Referred to the committee on Judiciary.

S. B. 97, bill to punish the stealing of dead bodies. Referred to the committee on Judiciary.

S. B. 98, bill to allow defendants in certain criminal actions to become witnesses for themselves. Referred to the committee on Judiciary.

S. B. 99, bill in relation to evidence on trials before Justices of the Peace. Referred to the committee on Judiciary.

S. B. 100, bill to amend the law of attachments. Referred to the committee on Judiciary.

By Mr. Finger, (by request): S. B. 101, bill to carry into effect "an act to adjust and renew a portion of the State debt," ratified the 14th day of March, 1879. Referred to the committee on Public Debt.

UNFINISHED BUSINESS.

S. R. 64, resolution providing for a joint committee to investigate the manner of treatment of convicts on the Western North Carolina and other railroads, being the unfinished business of yesterday, was taken up.

Mr. York offered a substitute for the resolution, upon

which he demanded the previous question, which was sustained.

The substitute was adopted.

Upon the adoption of the resolution

Mr. Clarke demanded the ayes and noes, which were ordered, and the resolution was adopted, ayes 40, noes 6, as follows:

Those voting in the affirmative were:

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cunningham, Davidson, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and York—40.

Those voting in the negative were:

Messrs. Carter, Clarke, Newsom, Scott of New Hanover, Williamson of Edgecombe and Wynne—6.

The resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that honorable body in S. R. 34, resolution raising a joint select committee on Immigration and the Manufacturing Interests of the State.

CALENDAR.

Bills and resolutions upon the calendar were taken up and disposed of, as follows:

S. R. 82, resolution of thanks to W. H. Vanderbilt, on its second reading, and adopted.

S. R. 93, resolution in behalf of disabled and maimed soldiers, on second reading, and adopted.

S. B. 21, bill to make the use of language calculated and

intended to bring about a breach of the peace a misdemeanor, on its second reading.

On motion of Mr. Bernard, the bill was laid upon the table.

S. B. 36, bill to perfect the organization of the Carolina Central Railroad Company, on its second reading.

The amendments recommended by the committee on Corporations was adopted.

The bill then passed its second reading.

On motion of Mr. Richardson, the rules were suspended, and the bill put upon its third reading, and passed.

Mr. Richardson moved to reconsider the vote by which the bill passed its third reading; and moved to lay the motion to reconsider on the table. The latter motion prevailed.

S. B. 29, bill to allow both parties to offer evidence in an application for continuance, on its second reading.

On motion of Mr. Clarke, the bill was laid on the table.

S. B. 30, bill to amend section 10, chapter 43, Battle's Revisal, on its second reading and passed.

On motion of Mr. Davidson, the rules were suspended and the bill passed its third reading.

S. B. 43, bill in relation to trials in courts of justices of the peace, on its second reading.

On motion of Mr. King, it was laid on the table.

S. B. 44, bill to appoint competent judges and inspectors of elections.

On motion of Mr. Burwell, the bill was recommitted to the committee on Judiciary.

S. B. 3, bill for the protection of crops in Craven county, on its second reading.

Mr. King moved to refer the bill to the committee on Judiciary. Lost.

Bill then passed its second reading.

S. B. 47, bill for the relief of tin and book peddlers, on its second reading.

Mr. Merritt moved to amend by inserting after the word "religious" the words "and literary." Accepted.

Mr. Finger moved to refer to the committee on Finance, on which

Mr. Respass demanded the ayes and noes, which were not ordered.

The motion to refer prevailed.

On motion of Mr. Staples,

S. B. 16, bill to amend the Constitution of North Carolina in relation to taxation, was recalled from the committee on Judiciary, and referred to the committee on Internal Improvements.

Mr. Staples moved that the committee on Internal Improvements be increased to ten (10) members. Adopted.

Mr. Clarke, of joint committee appointed by the General Assembly of 1879 to examine and audit the accounts in the office of the State Treasurer, submitted a report, which was ordered printed.

The President *pro tempore* announced as Senate branch of joint select committee on Immigration and the Manufacturing Interests of the State, Messrs. York, Staples and Battle.

On motion of Mr. Williamson of Edgecombe, leave of absence for five days was granted to Mr. King.

On motion of Mr. Merritt, the Senate adjourned.

EIGHTH DAY.

SENATE CHAMBER, January 13th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was read and approved.

The President *pro tempore* announced as additional members of the committee on Internal Improvements, Messrs. Finger, Lockhart and Wynne.

On motion of Mr. Cunningham, Mr. Parish was added to the committee on Judiciary.

On motion of Mr. Richardson, Mr. Manning was added to the committee on Finance.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Wynne: Petition of Rev. H. M. Tupper, President of Shaw University, for one acre of Governor's Mansion Grounds to be used for a Medical College, &c., for colored medical students. Referred to the committee on Finance.

By Mr. Manning: Petition of commissioners of Chowan county, &c. Referred to the committee on Finance.

By Mr. Spears: Petition of certain citizens of Hamlet, praying for the prohibition of the sale of spirituous liquors within two miles of Hamlet Baptist church. Referred to the joint committee on Prohibition.

By Mr. Stowe: Petition of certain citizens of Gaston county, asking that the sale of intoxicating liquors be prohibited within one and one-half miles of Christ's church in said county. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed, S. B. 19, bill to incorporate Oak Ridge Institute;

S. B. 30, bill to amend section 10, chapter 43, Battle's Revisal;

S. B. 36, bill to perfect the organization of the Carolina Central Railroad company.

S. R. 82, resolution of thanks to W. H. Vanderbilt.

Which are ordered transmitted to the House of Representatives for concurrence.

From the committee on Judiciary :

By Mr. Tucker : S. B. 17, bill to amend sub-division 2, section 31, chapter 3, Code of Civil Procedure, brought forward in Battle's Revisal, sub-division 2, section 31, chapter 17, in relation to the Statute of Limitations, recommending it do not pass.

By Mr. Lockhart : S. B. 14, bill to amend chapter 141 of the Acts of 1879, and to restore to the people of the State the election of justices of the peace and county commissioners, recommending for a majority of the committee it do not pass.

Mr. Clarke, of same committee, submitted a minority report on same bill, recommending it do pass.

By Mr. Glenn : S. B. 8, bill to punish any one for destroying or defacing the registration of deeds and other papers, reporting a substitute, and recommending the substitute do pass.

By Mr. Spears : H. B. 2, S. B. 74, bill to punish injury to telegraph lines, recommending it do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Cunningham : S. B. 102, bill to amend chapter 325, Laws of 1879, entitled "an act to provide a fund for the payment of jurors." Referred to the committee on Judiciary.

By Mr. Harper : S. B. 103, bill to allow the defendant in

all criminal actions to testify in his own behalf. Referred to the committee on Judiciary.

By Mr. Davidson: S. B. 104, bill to authorize the Trustees of the Public Library to publish certain Public Records, &c., for the use of the Library. Referred to the joint committee on Library.

By Mr. Williamson of Edgecombe: S. B. 105, bill to give the lien of laborers priority over all liens except the landlord's lien for rent. Referred to the committee on Judiciary.

By Mr. Manning: S. B. 106, bill to empower the Commissioners of Chowan county to pay school orders issued prior to December 1, 1878, out of any surplus in the treasury belonging to the school fund. Referred to the committee on Finance.

S. B. 107, bill to authorize the Commissioners of Chowan county to levy a special tax. Referred to the committee on Finance.

By Mr. Newsom: S. B. 108, bill to amend section 21, chapter 275, Laws of 1876-'77. Referred to the committee on Judiciary.

By Mr. Williamson of Davie: S. B. 109, bill to amend section 1, chapter 183, Acts of 1879. Referred to the committee on Judiciary.

By Mr. Burwell: S. B. 110, bill to amend Battle's Revisal, chapter 17, section 43. Referred to the committee on Judiciary.

By Mr. Spruill: S. B. 111, bill to incorporate Mt. Vernon Lodge No. 359, A. F. and A. M., Stonewall, Pamlico county. Referred to the committee on Corporations.

By Mr. Scott of New Hanover: S. B. 112, bill supplemental to an act to amend section 1, chapter 6, Private Laws of 1870-'71. Referred to the committee on Propositions and Grievances.

By Mr. Clarke: S. B. 113, bill to prevent the destruction

of quails in North Carolina. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting engrossed

H. B. 90, S. B. 114, bill to incorporate Concordia College. Referred to the committee on Corporations.

H. B. 53, S. B. 115, bill for the relief of jurors in Cherokee county. Referred to the committee on Propositions and Grievances.

H. B. 54, S. B. 116, bill to prevent horses and mules from running at large in the county of Jones. Referred to the committee on Propositions and Grievances.

H. B. 55, S. B. 117, bill to prevent the felling of timber in Tuckaseige river, in Jackson county. Referred to the committee on Propositions and Grievances.

H. B. 92, S. B. 118, bill to incorporate Castonia Grove church in Gaston county and to prohibit the manufacture and sale of spirituous liquors within three miles thereof. Referred to the committee on Corporations.

H. B. 125, S. B. 119, bill for the relief of the Sheriff of Warren county. Referred to the committee on Finance.

H. R. 29, S. R. 120, resolution of instruction to our Senators and members in Congress in regard to the amendment of the commercial law of the United States. Placed on the calendar.

H. R. 23, S. R. 121, resolution to instruct the Keeper of the Capitol to purchase a comfortable chair for the use of the Speaker of the House of Representatives.

On motion, the rules were suspended, and the resolution was adopted and ordered enrolled.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 3, bill for the protection of crops in Craven county, on its third reading.

Mr. Clarke moved to amend : Strike out sec. 3. Adopted. Thus amended, the bill passed its third reading, and was ordered engrossed.

S. R. 13, resolution for the relief of A. M. Church, of Wilkes county, on its second reading.

On motion of Mr. Richardson, the resolution was laid on the table.

S. B. 20, bill to repeal chapter 24, Acts of Special Session, 1880, on its second reading, and passed.

On motion of Mr. Williamson of Davie, the rules were suspended, and the bill passed its third reading, and was ordered engrossed.

On motion of Mr. Clarke, the rules were suspended, the bill passed its third reading, and was ordered engrossed.

S. B. 22, bill to regulate the size of the meshes of dragnets and seines to be used in the waters of the Neuse and Trent rivers and their tributaries, on its second reading, and was ordered engrossed.

S. R. 32, resolution to enquire into the official conduct of David Schenck, Judge, &c., at the late term of the Superior Court of Pamlico county, on its second reading.

On motion of Mr. Staples, the resolution was referred to the committee on the Judiciary.

S. R. 37, resolution in regard to education, on its second reading.

On motion of Mr. Bernard it was laid on the table.

S. B. 42, bill to amend the School Law of 1875-'76, and 1879, on its second reading.

On motion of Mr. Merritt, it was laid on the table.

S. B. 8, bill to punish any one for destroying or defacing

the registration of deeds and other papers, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 14, bill to amend chapter 141, Acts of 1879, and to restore to the people of the State the election of justices of the peace and county commissioners, on its second reading.

The minority report, submitted by the committee on Judiciary, was read.

Mr. York moved to lay the bill upon the table; upon which

Mr. Clarke demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 30, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cunningham, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, Harris, Jones, Lockhart, Manning, Mebane, Merritt, Oates, Parish, Richardson, Scott of Rockingham, Spruill, Stowe, Whitaker, Williamson of Davie, and York—30.

Those voting in the negative were:

Messrs. Carter, Clarke, Eaves, Gudger, Jenkins, Newland, Newsom, Scott of New Hanover, Spears, Staples, Tucker, Williamson of Edgecombe, and Wynne—13.

Mr. Glenn moved to reconsider the vote by which the bill was laid on the table, and moved the consideration of the motion be postponed until Tuesday next, 18th instant, which prevailed.

S. B. 17, bill to amend sub-division 2, section 31, chapter 3, of Code Civil Procedure, as brought forward in Battle's Revisal, sub-division 2, section 31, chapter 17, in relation to statute of limitations, on second reading.

On motion of Mr. Staples, it was laid on the table.

H. B. 2, S. B. 74, bill to punish injury to telegraph lines, on its second reading, and passed.

On motion of Mr. Spears, the rules were suspended, the bill passed its third reading, and was ordered enrolled.

By consent,

Mr. Williamson of Edgecombe introduced

S. R. 122, resolution to enquire of the Attorney General what interest the State of North Carolina has in the Chesapeake and Albemarle Canal. Placed on the Calendar.

Mr. Tucker introduced

S. B. 123, bill to allow the tax collector in the town of Statesville, in the county of Iredell, to collect arrears of taxes. Referred to the committee on Finance.

Mr. Manning announced Mr. Woodhouse, Senator elect from the 1st District, absent on account of sickness.

Leave of absence was granted Mr. Harris for two days

Mr. Williamson of Edgecombe for three days; and

Mr. Scott of New Hanover until Monday.

Mr. Newsom presented an invitation to the Senate to visit the halls and grounds of Shaw University, this city, this evening at 3 o'clock.

On motion of Mr. Williamson of Davie, the Senate adjourned.

NINTH DAY.

SENATE CHAMBER, January 14th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was read and approved.

Leave of absence was granted Messrs. Lockhart, Battle and Faison until Monday; Mr. Burwell until Tuesday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Stowe: Petition for a prohibitory law to prevent the sale of liquor within one and a-half miles of Stanley Creek Methodist church, Gaston county, N. C. Referred to the committee on Prohibition.

By Mr. Hanes: Petition of citizens of Lexington, asking the repeal of the law prohibiting the sale of liquor in said town.

Also a petition from citizens of the same town against the repeal of the law. Both referred to the committee on Prohibition.

By Mr. Dever: Petition from Enon Baptist church, Transylvania county, asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed,

S. B. 8, bill to punish any one for destroying or defacing the registration of deeds and other papers;

S. B. 3, bill for the protection of crops in Craven county;

S. B. 22, bill to be entitled an act to regulate the size of the meshes of drag-nets and seines to be used in the waters of the Neuse and Trent rivers and their tributaries.

From committee on Enrolled Bills:

By Mr. Carr, as correctly enrolled,

H. B. 36, S. B. 48, an act to appoint cotton weighers for the town of Wilson ;

H. R. 19, S. R. 66, resolution concerning the canvass of votes of State officers ;

S. R. 40, resolution forming a joint committee on the Fish Interests ;

S. R. 65, a resolution to pay J. M. Brower, contestant from the thirty-third district, mileage and per diem.

All of which were duly ratified, and sent to the office of the Secretary of State.

From the committee on Finance :

By Mr. Richardson : S. B. 107, bill to authorize the Commissioners of Chowan County to levy a special tax, recommending it do pass.

S. B. 106, bill to empower the Commissioners of Chowan county to pay school orders issued prior to December 1, 1878, out of any surplus in the treasury belonging to the school fund, recommending it do pass.

H. B. 125, S. B. 119, bill for the relief of the sheriff of Warren county, recommending it do not pass.

From the committee on Propositions and Grievances :

By Mr. Evans : H. B. 53, S. B. 115, bill for the relief of jurors in Cherokee county, recommending it do pass.

By Mr. Glenn : H. B. 55, S. B. 117, bill to prevent the felling of timber in the Tuckasegee river in Jackson county, recommending it do pass.

By Mr. Battle : S. B. 70, bill to amend section 1, chapter 48, Battle's Revisal, recommending it do not pass.

S. B. 90, bill to amend chapter 13, Private Laws of 1879, in regard to Wake Forest College, recommending it do pass.

S. B. 75, bill to amend chapter 141, Laws of 1876-'77, relative to county governments, recommending it do not pass.

S. B. 79, bill to amend chapter 195, Public Laws of

1874-'75, for the better protection of partridges and other birds, recommending it do pass.

S. B. 59, bill for the relief of certain persons liable to road duty, reporting an amendment, and as amended recommending it do pass.

By Mr. Jones: H. B. 54, S. B. 116, bill to prevent horses and mules from running at large in the county of Jones, recommending it do pass.

By Mr. Battle: S. B. 87, bill to prevent the desecration of, and disturbance on, the Sabbath day, recommending it be referred to the committee on Judiciary. It was so referred.

From the committee on Finance:

By Mr. Richardson: S. B. 123, bill to allow the tax collector of the town of Statesville to collect arrears of taxes, recommending it do pass.

From the committee on Salaries and Fees:

By Mr. Scott of Rockingham: S. B. 9, bill to amend section 30, chapter 105, Battle's Revisal, in relation to fees of witnesses in attendance at magistrates' courts, recommending it do not pass.

From the committee on Corporations:

By Mr. Hanes: S. B. 56, bill to appoint cotton-weighers for the town of Enfield, Weldon and Scotland Neck, recommending it do pass.

By Mr. Stowe: S. B. 41, bill to incorporate the Superannated Fund Society, recommending it do pass.

From the committee on Claims:

By Mr. Glenn: S. B. 5, bill authorizing the Treasurer of Johnson county to pay certain school orders, recommending it do pass.

From the committee on Corporations:

By Mr. Scott of Rockingham: S. B. 55, bill to incorporate Zoar Baptist church in Northampton county;

S. B. 78, bill to incorporate Mt. Zion Baptist church, near Margarettsville in the county of Northampton, recommend-

ing their reference to the committee on Prohibition. They were so referred.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time and disposed of as follows:

By Mr. Scott of Rockingham: S. B. 124, bill to prohibit the sale of spirituous liquors within one mile of Zoar Baptist church and Mt. Zion Baptist church in the county of Northampton. Referred to the committee on Prohibition.

By Mr. Hanes: S. B. 125, bill to amend an act passed by the General Assembly at its session in 1879, "to prohibit the sale of spirituous liquors in certain localities." Referred to the committee on Prohibition.

By Mr. Williamson of Davie: S. B. 134, bill to repeal chapter 116, acts of 1879. Referred to the committee on Judiciary.

By Mr. Merritt: S. B. 135, bill to amend sections 17 and 18, chapter 97, Battle's Revisal. Placed on the Calendar.

By Mr. Spruill: S. B. 136, bill to amend an act entitled "an act to establish county governments," ratified the 27th day of February, A. D. 1877. Referred to the committee on Judiciary.

By Mr. Glenn: S. B. 137, bill for the protection of the proprietors of livery and other stables. Referred to the committee on Judiciary.

By Mr. Eaves: S. B. 138, bill to re-assess property in certain townships in Rutherford county. Referred to the committee on Finance.

By Mr. Wynne: S. B. 139, bill to amend chapter 132, Public Laws of 1879, concerning divorce. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House informing the Senate of the appointment of

House branch of joint committee on Fishing Interests: Messrs. Brown, Smith, Worthington, Simpson and Blaisdell.

The President *pro tempore* announced as Senate branch of this committee, Messrs. York, Réspass and Hanes.

House branch joint committee on Immigration and Manufacturing Interests: Messrs. Day, Morrison, Taylor, Green of Craven and Bunting.

House branch joint committee on Redistricting the State: Messrs. Rose, Green of Orange, Carter, Green of Craven and Harrison.

Also, a message transmitting engrossed

H. B. 67, S. B. 126, bill to prevent the hauling of seines, &c., in Hiawassee, Notalee and Valley rivers, in Cherokee county, in certain seasons. Referred to the committee on Fish and Fishing Interests.

H. B. 17, S. B. 127, bill to prevent obstructions to the passage of Fish in Hiawassee river. Referred to the committee on Fish and Fishing Interests.

H. B. 91, S. B. 128, bill to amend and continue in force chapter 4, Laws of 1871-'72. Referred to the committee on Judiciary.

H. B. 74, S. B. 129, bill to amend chapter 49, Laws of 1879. Referred to the committee on Judiciary.

H. B. 58, S. B. 130, bill to incorporate the town of Saluda, in the county of Polk. Referred to the committee on Corporations.

H. B. 89, S. B. 131, bill to exempt Ashe county from the provisions of chapter 25, Laws of 1879. Placed on the Calendar.

H. B. 82, S. B. 132, bill to prevent the destruction of fish

in Nantihali river and tributaries. Referred to the committee on Fish and Fishing Interests.

H. B. 20, S. B. 133, bill to repeal section 41, chapter 34, Revised Code, as brought forward in section 43, chapter 32, Battle's Revisal. Referred to the committee on Judiciary.

Also, a message transmitting a message of his Excellency, the Governor, with a communication from Hon. W. L. Saunders, Secretary of Board of Trustees of the University; and proposing to go into an election to fill vacancies in said Board on January 27th inst. The proposition was concurred in.

Also, transmitting, without engrossment,

H. R. 43, S. R. 140, resolution to raise a joint committee to make arrangements for the inauguration of the Governor and other State officers.

On motion, the rules were suspended, the resolution was adopted, and Messrs. Bernard and Lockhart were appointed as Senate branch of said committee.

CALENDAR.

Bills and resolutions upon the Calendar were taken up, and disposed of as follows:

H. R. 29, S. R. 120, resolution of instruction to our Senators and Members in Congress in regard to the amendment of the commercial law of the United States, was adopted, and ordered enrolled.

S. B. 135, bill to amend sections 17 and 18, chapter 97, Battle's Revisal, passed its several readings, and was ordered engrossed.

H. B. 54, S. B. 116, bill to prevent horses and mules from running at large in the county of Jones, passed its several readings, and was ordered enrolled.

S. B. 59, bill for the relief of certain persons liable to road duty, on its second reading.

The amendment reported by the committee on Propositions and Grievances, was adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 79, a bill to amend chapter 195, Laws of 1874-'75, for the better protection of partridges and other birds, on its second reading.

Mr. Davidson moved to strike out "November 1st," and insert "15th October." Lost.

Mr. Whitaker moved to amend, by adding the county of "Halifax," and the proviso: "*Provided*, the provisions of section 2, of said act of 1874-'75, shall not apply to the county of Halifax." Adopted.

Mr. Scott of Rockingham moved to amend, "the provisions of this act shall not apply to the counties of Wayne, Greene, Lenoir and Davie," to be inserted at the end of section one thereof. Adopted.

Bill then passed its second reading.

On motion of Mr. Scott of Rockingham, the rules were suspended, and the bill put upon its third reading.

Mr. Davidson moved to amend: add the following:

"The provisions of chapter 195, Laws of 1874-'75, shall apply to the county of Buncombe; "*Provided*, That the 'close season' therein shall begin on the first day of March, and end on the fifteenth day of October, in each year." Adopted.

Mr. Burwell moved to amend by inserting the proviso:

"*Provided*, That this act shall not apply to the county of Mecklenburg."

Pending consideration,

On motion of Mr. Williamson of Davie, the bill was referred to the committee on Judiciary.

On motion of Mr. Clarke, the Enrolling Clerk was directed to properly enumerate the several sections of

S. B. 6, bill to amend the charter of the city of Newbern.

S. B. 5, bill to authorize the Treasurer of Johnston county to pay certain school orders, on its second reading, and passed.

S. B. 75, bill to amend chapter 141, Laws of 1876-'77, relative to county government, on its second reading.

On motion of Mr. Richardson, the bill was laid on the table.

S. B. 90, bill to amend chapter 13, Private Laws of 1879, in regard to Wake Forest College, passed its several readings, and was ordered engrossed.

S. B. 70, bill to amend section 1, chapter 48, Battle's Revisal, on its second reading.

On motion of Mr. Cuninghame, the bill was laid on the table.

H. B. 55, S. B. 117, bill to prevent the felling of timber in the Tuckasegee river, in Jackson county, on its second reading, and passed.

On motion of Mr. Dickey, the rules were suspended and the bill put upon its third reading.

Mr. Lockhart moved to amend: insert "Lane's creek, in Anson county." Adopted.

The bill passed its third reading, and the amendment was ordered engrossed.

S. B. 41, bill to incorporate the Superannuated Fund Society passed its several readings, and was ordered engrossed.

S. B. 56, bill to appoint cotton weighers for the towns of Enfield, Weldon and Scotland Neck, on its second reading.

Mr. Whitaker moved to amend: strike out "Scotland Neck" wherever it appears. Adopted.

Bill then passed its second and third readings, and was ordered engrossed.

Mr. Carr, from the committee on Engrossed Bills, reported as properly engrossed,

S. B. 135, bill to amend sections 17 and 18, chapter 97, Battle's Revisal.

The calendar was resumed.

S. B. 9, bill to amend section 30, chapter 105, Battle's Revisal, in relation to fees of witnesses in attendance on magistrates' courts, on its second reading.

On motion of Mr. Clarke, the bill was laid on the table.

H. B. 53, S. B. 115, bill for the relief of jurors in Cherokee county, on its second reading, and passed.

On motion of Mr. Dickey, the rules were suspended and the bill passed its third reading, and was ordered enrolled.

S. B. 123, bill to allow the tax collector of the town of Statesville to collect arrears of taxes, passed its several readings and was ordered engrossed.

H. B. 125, S. B. 119, bill for the relief of the Sheriff of Warren county, was,

On motion of Mr. Gudger, laid on the table.

S. B. 106, bill to empower the commissioners of Chowan county to pay school orders issued prior to December 1st, 1878, out of any surplus in the treasury belonging to the school fund, passed its several readings and was ordered engrossed.

S. B. 107, bill to authorize the commissioners of Chowan county to levy a special tax, on its second reading, and passed, ayes 37, noes 2, as follows :

Those voting in the affirmative were :

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Oates, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Wynne and York—37.

Those voting in the negative were :

Messrs. Hanes and Spears—2.

By consent,

Mr. Bernard introduced

S. B. 141, bill to establish a new county to be called Vance.

Referred to committee on Privileges and Elections.

Mr. Dortch introduced

S. R. 142, resolution of instruction to the committee on Judiciary as to the propriety of providing additional courts.

On motion of Mr. Dortch, the rules were suspended and the resolution was adopted.

Mr. Clarke introduced

S. B. 143, bill to amend chapter 53, Battle's Revisal. Referred to committee on Judiciary.

Mr. Respass introduced

S. B. 144, bill relating to the fees and actions of the justices of the peace. Referred to the committee on Salaries and Fees.

Mr. Clarke introduced

S. B. 145, bill to prohibit the use of Pod or Dutch nets in the waters of the Neuse and Trent rivers and their tributaries. Referred to the committee on Fish and Fisheries.

On motion of Mr. York, the rules were suspended, and

H. B. 89, S. B. 131, bill to exempt Ashe county from the provisions of chapter 25, Laws of 1879, was taken up on its second reading.

On motion of Mr. Spears, the bill was laid on the table.

On motion of Mr. Dickey, the Senate adjourned.

TENTH DAY.

SENATE CHAMBER, January 15th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Harper until Tuesday, and Mr. Oates until Wednesday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Finger: Petition of citizens of Catawba county, asking for a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Staples: S. B. 39, bill to amend the Constitution of North Carolina in relation to the election and terms of Senators, reporting an amendment, asking the bill and amendment be printed, and recommending it be recommitteed. It was so ordered.

S. B. 58, bill to provide for paying jurors in inquests held by coroners, recommending it do pass.

By Mr. Scott of Rockingham: S. B. 67, bill for the better protection of married women, reporting an amendment, and, as amended, recommending it do pass.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 31, S. B. 146, bill to punish the crime of producing abortion. Referred to the committee on Judiciary.

H. B. 9, S. B. 147, bill to amend the laws in regard to Finance committee. Referred to the committee on Finance.

H. B. 60, S. B. 148, bill to exempt ministers of the gospel from working the public roads. Referred to the committee on Propositions and Grievances.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Finger, S. B. 149, bill to amend the charter of the town of Hickory. Referred to the committee on Corporations.

By Mr. York, S. B. 150, bill to amend the election laws, throwing the elections back to August instead of November. Referred to the committee on Privileges and Elections.

By Mr. Staples, S. R. 151, resolution to increase the joint committee on Apportionment. Placed on the Calendar.

By Mr. Carter, S. B. 152, bill relative to the meeting of the county commissioners of the State. Referred to the committee on Judiciary.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 107, bill to authorize the commissioners of Chowan county to levy a special tax, on its third reading, and passed, ayes 32, noes 2, as follows:

Those voting in the affirmative were

Messrs. Blue, Carter, Cunningham, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jenkins, Jones, Manning, Mebane, Newland, Newsum, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Tucker, Whitaker, Williamson of Davie, Wynne and York—32.

Those voting in the negative were

Messrs. Hanes and Spears—2.

S. B. 58, bill to provide for paying jurors in inquests held by coroners, on its second reading, and passed.

On motion, the rules were suspended, the bill passed its third reading and was ordered engrossed.

S. B. 67, bill for the better protection of married women, on its second reading.

The amendment reported by the committee on Judiciary was adopted.

Mr. Scott of Rockingham moved to amend: insert as section 3:

“SEC. 3. That in any trial for any offense created by this enactment, it shall be competent for the defense to introduce the defendant as a witness: *Provided, however,* That failure to so introduce him shall not be used to the prejudice of the defense in said trial.” Adopted.

The bill then passed its second reading.

S. R. 151, resolution to increase the joint committee on Apportionment, was adopted and ordered engrossed.

By consent,

Mr. Merritt introduced

S. R. 153, resolution on the election of Trustees.

On motion of Mr. Merritt, the rules were suspended, and the resolution was adopted, and ordered engrossed.

Mr. Glenn moved to reconsider the vote by which

S. B. 59, bill for the relief of certain persons liable to road duty, passed its third reading on yesterday, upon which motion he demanded the previous question, which was sustained. The motion to reconsider was adopted.

Question recurring upon the passage of the bill its third reading,

On motion of Mr. Glenn, it was referred to the committee on Propositions and Grievances.

By consent,

Mr. Whitaker introduced

S. B. 154, bill to amend sub-division 2, section 4, chapter 37, Battle's Revisal. Referred to the committee on Judiciary.

Mr. Dortch introduced

S. R. 155, resolution of instruction to the committee on Finance to inquire into the propriety of taxing persons engaged in the business of employing laborers to go beyond the limits of the State.

On motion, the rules were suspended, and the resolution was adopted.

Mr. Dortch introduced

S. B. 156, bill to re-enact section 1, chapter 108, Battle's Revisal, entitled "Statutes, Repeal and Construction of." Referred to the committee on Judiciary.

On motion of Mr. Oates, the Senate adjourned.

ELEVENTH DAY.

SENATE CHAMBER, January 17th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Salaries and Fees:

By Mr. Scott of Rockingham: S. B. 38, bill to amend section 22, chapter 105, Battle's Revisal, in relation to fees of constables, recommending it do pass.

From committee on Engrossed Bills:

By Mr. Scott of Rockingham, as properly engrossed,

S. B. 90, bill to amend chapter 13, Laws of 1879, in regard to Wake Forest College;

S. B. 58, bill to provide for paying jurors in inquests held by coroners;

S. B. 107, bill to authorize the commissioners of Chowan county to levy a special tax;

S. R. 151, resolution to increase the joint committee on Apportionment;

S. R. 153, resolution on election of Trustees.

From the joint committee on Employees of the General Assembly:

By Mr. York: S. R. 63, resolution in relation to the pay of the Engrossing Clerks and Enrolling Clerk of the General Assembly, recommending it do pass.

Mr. Bernard, from the special joint committee on Inauguration Ceremonies, submitted a report which was read.

Mr. Bernard moved that the report be adopted, and that a message be sent to the House proposing to print five hundred copies of the same, which prevailed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river in Plymouth, North Carolina. Referred to the committee on Corporations.

H. B. 66, S. B. 158, bill to prevent cruelty to animals. Referred to the committee on Judiciary.

H. B. 1, S. B. 159, bill to prohibit the obstruction of water in Little River. Referred to the committee on Propositions and Grievances.

H. B. 62, S. B. 160, bill to repeal so much of chapter 194, sections 1, 2, and 3, Laws of 1876-'77 as applies to Davidson

and Guilford counties. Referred to the committee on Propositions and Grievances.

H. B. 72, S. B. 161, bill to amend chapter 244, Laws of 1879, by exempting manufacturers on the South Fork of Catawba river. Referred to the committee on Fish and Fisheries.

H. B. 168, S. B. 162, bill to prevent the felling of timber in Sugar Fork river in Macon county. Referred to the committee on Propositions and Grievances.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Williamson of Davie: S. B. 163, bill to amend an act to provide for the better proof of deeds executed beyond this State, ratified the 27th day of February, 1879. Referred to the committee on Judiciary.

By Mr. Glenn: S. B. 164, bill to amend section 15 of an "act to revise and consolidate the public school law," ratified March 9th, 1877. Referred to the committee on Education.

By Mr. Hanes: S. B. 165, bill to amend the Constitution in relation to suffrage. Referred to the committee on Judiciary.

By Mr. Manning: S. B. 166, bill to declare Queen Anne's creek in Chowan county a lawful fence. Referred to the committee on Propositions and Grievances.

By Mr. Glenn: S. R. 167, resolution of instruction to the Judiciary Committees of the Senate and House of Representatives in regard to the enactment of a law to regulate the rate of freight charges upon railroads operating in this State. Placed upon the Calendar.

By Mr. Blue: S. B. 168, bill to amend "an act to protect the fish interests of North Carolina," chapter 34, Laws of 1880. Referred to the committee on Fish and Fisheries.

By Mr. Bernard: S. B. 169, bill to repeal chapter 293, Laws of 1879. Placed on the Calendar.

By Mr. Hampton: S. B. 170, bill for the relief of sheriffs and tax collectors. Referred to the committee on Finance.

By Mr. Newsom: S. B. 171, bill to authorize and require the commissioners of the counties of Bertie and Northampton to work the public roads by taxation. Placed on the Calendar.

A message was received from the House of Representatives announcing the concurrence of that honorable body in the report of the committee on Inaugural Ceremonies, and proposition of the Senate to print five hundred copies of the same.

CALENDAR.

Bills and resolutions upon the Calendar were disposed of as follows:

S. R. 63, resolution in relation to the pay of the Engrossing Clerks and Enrolling Clerk, passed its several readings, and was ordered engrossed.

S. B. 38, bill to amend section 22, chapter 105, Battle's Revisal, in relation to fees of constables, on its second reading.

Mr. Spears offered to amend:

“That the fees of constables be in all cases the same as those paid sheriffs for like service.”

On motion of Mr. Spears, the bill and amendment were referred to the committee on Judiciary.

S. R. 167, resolution of instruction to the Judiciary Committees of the Senate and House of Representatives in regard to the enactment of a law to regulate the rate of freight charges upon railroads operating in this State, was adopted and ordered engrossed.

S. B. 169, bill to repeal chapter 293, Laws of 1879, passed its several readings, and was ordered engrossed.

S. B. 171, bill to authorize and require the commissioners of the counties of Bertie and Northampton counties to work the public roads by taxation, on its second reading.

On motion of Mr. Spruill, the bill was laid on the table.

On motion, the Senate adjourned.

TWELFTH DAY.

SENATE CHAMBER, January 18th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Indefinite leave of absence was granted Mr. Whitaker.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Finger: Petition from citizens of Caldwell county, asking prohibition within two and a-half miles of Bethlehem M. E. church. Referred to the committee on Prohibition.

By Mr. Scott of Rockingham: Petition from citizens of Madison, N. C. Referred to the committee on Prohibition.

By Mr. Parrish: Petition from the citizens of New Hope, asking for a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Merritt: Petition from State Teachers' Association on Common Schools. Referred to the committee on Education.

By Mr. Stowe: Petition from citizens of Gaston for a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Burwell: Sundry petitions from citizens of Mecklenburg, asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted, as follows:

From the committee on Judiciary:

By Mr. Glenn: S. B. 95, bill in regard to practice in criminal actions, recommending it do not pass.

By Mr. Lockhart: S. B. 83, bill to amend chapter 22, Laws of 1879, being an act in relation to the probate of deeds, recommending it do pass.

By Mr. Spruill: S. B. 80, bill to amend sub-division 7, section 41, chapter 78, Battle's Revisal, recommending it do pass.

By Mr. Williamson of Davie: S. B. 61, bill to amend chapter 63, acts of 1879, recommending it do pass.

By Mr. Scott of Rockingham: S. B. 92, bill to repeal chapter 264, Laws of 1879, "an act to reduce the costs of criminal prosecutions," recommending it do not pass.

By Mr. Staples: S. B. 77, bill to expedite the trial of criminal actions, recommending it do not pass.

S. B. 97, bill to punish the stealing of dead bodies, reporting an amendment, and as amended recommending it do pass.

By Mr. Spears: S. B. 81, bill to amend section 37, chapter 105, Battle's Revisal, recommending it do pass.

By Mr. Tucker: S. B. 18, bill to provide special jurors in capital cases, reporting a substitute and recommending the substitute do pass.

S. B. 73, bill to amend chapter 79, acts of 1879, recommending it do pass.

By Mr. Davidson: S. B. 50, bill to amend chapter 135, Public Laws of 1879, so that Catawba county may be in-

cluded in its provisions, reporting an amendment, and as amended recommending it do pass.

From the committee on Internal Improvements :

By Mr. Staples: S. B. 89, bill to create a Railroad Commission for North Carolina, asking that it be printed, and recommitted. It was so ordered.

From the committee on Engrossed Bills :

By Mr. Scott of Rockingham, as properly engrossed :

S. B. 169, bill to repeal chapter 293, Laws of 1879.

S. B. 106, bill to empower the commissioners of Chowan county to pay school orders issued prior to December 1st, 1878, &c.

S. B. 123, bill to allow the tax collector of Statesville to collect arrears of taxes.

S. B. 56, bill to appoint cotton-weighers for the towns of Enfield and Weldon.

S. B. 41, bill to incorporate the Superannuated Fund Society.

S. R. 63, resolution in relation to the pay of Engrossing Clerks and Enrolling Clerk.

All of which are transmitted to the House of Representatives.

From the committee on Enrolled Bills :

By Mr. Scott of Rockingham, as correctly enrolled :

An act to prevent horses and mules from running at large in the county of Jones.

An act to amend the charter of the city of Newbern.

An act for the relief of jurors in Cherokee county.

An act for the relief of the sureties of Robert R. McCall, late sheriff of Caldwell county.

An act to punish injury to telegraph lines.

An act to protect the organization of the Carolina Central Railroad Company.

Resolution to instruct the Keeper of the Capitol to purchase a comfortable chair for the use of the Speaker of the House of Representatives.

Resolution to pay clerks of Board of State Canvassers.

Resolution of instruction to our Senators and Members in Congress in regard to the amendment of the Commercial Law of the United States.

All of which were signed by the President *pro tempore*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. R. 52, S. R. 172, resolution to pay James Holeman, contestant from Person county, mileage and per diem.

On motion of Mr. Cunningham, the rules were suspended, the resolution passed its several readings, and was ordered enrolled.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Davidson: S. B. 173, bill to regulate the mode of enforcing judgments rendered in the Supreme Court of North Carolina. Referred to the committee on Judiciary.

S. B. 174, bill to prevent attorneys and counsellors at law from becoming surety. Referred to the committee on the Judiciary.

S. B. 175, bill to permit defendants in criminal cases to testify in their own behalf. Referred to the committee on Judiciary.

By Mr. York: S. B. 177, bill to amend chapter 92, section 2, Laws of 1879, to limit the powers of magistrates in peace warrants. Referred to the committee on Judiciary.

By Mr. Parish: S. B. 176, bill to prohibit the sale of liquor within four miles of New Hope church in Orange county. Referred to the committee on Prohibition.

By Mr. Respass: S. B. 178, bill to repeal chapter 105,

Private Laws of 1876-'77, and chapter 24, Private Laws of 1879. Referred to the committee on Fish and Fisheries.

By Mr. Scott of New Hanover: S. B. 179, bill in regard to the inspection of timber, naval stores, &c., in the city of Wilmington. Referred to the committee on Propositions and Grievances.

By Mr. Clarke: S. B. 180, bill to prevent fraud at elections, and to facilitate the discovery thereof. Referred to the committee on Judiciary.

CALENDAR.

Bills upon the Calendar were disposed of as follows:

S. B. 67, bill for the better protection of married women, on its third reading, and passed. It was ordered engrossed.

The hour having arrived for the inauguration of the Executive officers of the State, the Senate proceeded in a body to the Hall of the House of Representatives.

At the conclusion of the ceremonies, the Senate returned to its Chamber.

The President *pro tempore* escorted Lieutenant Governor Robinson to the chair, who called the Senate to order.

The Lieutenant Governor delivered the following address:

GENTLEMEN OF THE SENATE:—I must avail myself of this occasion to express some measure of the appreciation I have for the generous confidence shown me by the people of my State. To accept and occupy the distinguished position assigned me by the suffrages of the freemen of North Carolina, without evincing something of the natural pride and gratification I feel, would be neither in accord with custom, or my own ideas of propriety.

I would not assume to speak for the representatives of the people, with whom I am officially associated; but I trust, Senators, I may venture to hope that a progressive

spirit may be developed in this Assembly upon questions which so closely concern our prosperity, now and hereafter.

The great question of education, so much neglected in North Carolina, affords the grandest field for the exercise of a broad, enlightened statesmanship; and, I may add, in my opinion, the General Assembly which is to do most in the history of our State to immortalize the *men* and the *era*, will be that body who, under the guidance of an over-ruling Providence, and the inspiration of a proper State pride, will meet this question on the broad basis of merit, and deal with it as a subject pregnant with living, vital principle.

The wide spread want of education among our people, as shown by the mass of illiteracy compiled by the Census Bureau, is matter for shame to every citizen of North Carolina.

It may be that the monarchies of the Old World in times past could have furnished a parallel to our condition in this respect; but not so in Modern Europe. The finest systems prevail there, furnishing the means for primary education to the masses everywhere; and special attention is also given to industrial and technical education.

That this great country of ours is going forward on a career of progress and greatness, is perfectly apparent to even the most casual observer. If North Carolina, constituting one of the States comprising this grand confederation, desires to share in the glory which will belong and does belong to our common country, as being in the front rank of civilized powers in so many of the essentials which constitute a nation truly great, in civilization, christianity, the arts and sciences, and in wealth and intelligence, we must shake off the dust of by-gone ages from our skirts, leave the prejudices and passions of the past behind us, and go forward with our more progressive sister States of this Union to that measure of greatness which awaits our country in the near future, when we can point to an educated population—to a country whose material resources have been de-

veloped by the thrifty sons of our State, as well as by thousands of adopted sons who will pour into our State when these things are assured to them.

I bespeak your generous indulgence, gentlemen, as well as your support and aid while in the discharge of the duties of this position, and promise to aid you, as best I may, in forwarding public business.

Mr. Davidson moved that Mr. Dortch be added to the committee on Judiciary. Adopted.

Mr. Staples moved that Mr. Dortch be added to the committee on Internal Improvements. Adopted.

Mr. Scott of New Hanover introduced the following :

Resolved, That the thanks of the Senate are due and are hereby tendered to the distinguished Senator from Wayne, Hon. W. T. Dortch, for the very able and impartial manner in which he has discharged the duties of President *pro tem.* of the Senate. That by his uniform and courteous manner he has gained the esteem and respect of this entire body, without regard to political sentiment, while his experience and ability have been of great value to the Senate.

Which was unanimously adopted.

On motion of Mr. Richardson, the Senate adjourned.

THIRTEENTH DAY.

SENATE CHAMBER, January 19th, 1881.

The Senate met pursuant to adjournment.

Lieutenant-Governor Robinson in the chair.

The Journal of yesterday was read and approved.

Mr. Respass was announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Glenn : Petition from certain citizens of Forsyth county asking for the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Tucker : Sundry petitions asking prohibition of liquor in certain localities in Iredell county. Referred to the committee on Prohibition.

REPORTS.

Reports from committees were submitted as follows :

From the committee on Judiciary :

By Mr. Davidson : S. B. 152, bill relative to the meeting of the county commissioners of the State, recommending it do not pass.

By Mr. Staples : S. B. 105, bill to give the lien of laborers priority over all liens except landlord's lien for rent, recommending it do not pass.

By Mr. Scott of Rockingham : H. B. 91, S. B. 128, bill to amend and continue in force chapter 4, Laws of 1871-'72, recommending its reference to the committee on Corporations. It was so referred.

By Mr. Tucker : S. B. 108, bill to amend section 21, chapter 275, Laws of 1876-'77, recommending it do not pass.

From the committee on Fish and Fisheries :

By Mr. York : H. B. 67, S. B. 126, bill to prevent the hauling of seines and drag-nets in Hiawassee, Notalee and Valley rivers, Cherokee county, in certain seasons, recommending it do pass.

From the committee on Engrossed Bills :

By Mr. Carr, as properly engrossed :

Senate amendment to

H. B. 55, S. B. 117, bill to prevent the felling of timber in Tuckasegee river, in Jackson county.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Dortch: S. B. 181, bill to change the time of holding the Superior Courts in the counties of Johnston and Moore, in the fourth judicial district. Placed upon the Calendar.

By Mr. Scott of New Hanover: S. R. 182, resolution instructing the Judiciary committee to report a bill amendatory to lien law. Placed on the Calendar.

S. B. 183, bill to repeal chapter 242, Laws of 1876-'77. Referred to the committee on Judiciary.

By Mr. Staples: S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the North Western North Carolina Railroad and other roads in the State. Referred to the committee on Internal Improvements.

By Mr. Tucker: S. B. 185, bill for the more efficient collection of taxes. Referred to the committee on Finance.

By Mr. Clarke: S. B. 186, bill to change the time of holding the Superior Courts of Carteret, Jones and Onslow counties. Referred to the committee on Judiciary.

By Mr. Scott of Rockingham: S. R. 187, resolution to amend the Joint Rules of the Senate and House of Representatives, to promote accuracy and dispatch of business in proposed amendments of existing laws. Placed on the Calendar.

By Mr. Dortch: S. B. 188, bill for the benefit of the colored Insane Asylum. Referred to the committee on Insane Asylum.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 18, bill to provide special jurors in capital cases, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

On motion of Mr. Williamson of Edgecombe, the bill was ordered printed.

S. B. 50, bill to amend chapter 135, Public Laws of 1879, so that Catawba county may be included in its provisions, on its second reading.

The amendments reported by the committee on Judiciary were adopted.

Mr. Staples moved to amend: Strike out the word "and" between the words "words" and "Catawba" in lines nine and ten of section one; and add after the word "Catawba" in line ten, the words "and Guilford," and in line twelve, after the word "Catawba" insert "and Guilford."

In section two, line eight, between the words "Catawba" and "or" insert "Guilford, Randolph." Adopted.

Bill then passed its second reading, ayes 30, noes 5, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Cunningham, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harris, Jones, Lockhart, Manning, Mebane, Newsom, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Davie and York—30.

Those voting in the negative were

Messrs. Eaves, Hanes, King, Spears and Wynne—5.

S. B. 61, bill to amend chapter 63, acts of 1879, passed its several readings and was ordered engrossed.

S. B. 73, bill to amend chapter 79, acts of 1879, passed its several readings and was ordered engrossed.

S. B. 77, bill to expedite the trial of criminal actions, was, On motion of Mr. Bernard, laid on the table.

S. B. 80, bill to amend subdivision 7, section 41, chapter 78, Battle's Revisal, passed its several readings and was ordered engrossed.

S. B. 81, bill to amend section 37, chapter 105, Battle's Revisal, passed its several readings and was ordered engrossed.

S. B. 83, bill to amend chapter 22, Laws of 1879, being an act in relation to probate of deeds, passed its second reading.

S. B. 92, bill to repeal chapter 264, Laws of 1879, "an act to reduce the costs of criminal prosecutions," on its second reading.

Mr. Staples moved to lay the bill upon the table, upon which

Mr. Stowe demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 36, noes 5, as follows :

Those who voted in the affirmative were

Messrs. Battle, Blue, Carr, Carter, Clarke, Cuningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Parish, Richardson, Scott of New Hanover, Scott of Rockingham, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe and York—36.

Those voting in the negative were

Messrs. Bernard, Eaves, Spears, Stowe and Wynne—5.

S. B. 95, bill in regard to practice in criminal actions, was, On motion of Mr. Dortch, laid on the table.

S. B. 97, bill to punish the stealing of dead bodies, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its several readings and was ordered engrossed.

S. R. 122, resolution to enquire of the Attorney General what interest the State of North Carolina has in the Chesapeake and Albemarle Canal, was adopted.

Mr. Williamson of Edgecombe moved to reconsider the vote by which the resolution was adopted. Prevailed.

Question recurring upon the adoption of the resolution,

Mr. Williamson of Edgecombe moved to amend: Strike out "Attorney General" wherever it occurs, and insert "his Excellency the Governor." Adopted.

Resolution was then adopted.

Mr. Carr, for committee on Enrolled Bills, moved to reconsider the vote by which

H. R. 52, S. R. 172, resolution to pay James Holeman, contestant from Person county, mileage and per diem passed its third reading on yesterday, which prevailed.

Question recurring upon the passage of the resolution its third reading,

Mr. Carr offered a substitute for the resolution, which was adopted.

Resolution passed its third reading, and the substitute was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing the concurrence of that honorable body in

S. R. 151, resolution to increase the number of the joint committee on Apportionment; also in

S. R. 153, resolution in relation to election of Trustees of the University; and had passed

S. B. 63, bill in regard to the per diem of the Engrossing Clerks and Enrolling Clerk.

Also had concurred in Senate amendment to

H. B. 55, S. B. 117, bill to prevent the felling of timber in the Tuckaseigee river, in Jackson county.

Also a message transmitting the

Petition of the committee appointed by the State Prohibitory Convention, asking that a law be enacted prohibiting the manufacture and sale of intoxicating liquors within the State, with a proposition to print one thousand copies of the same. The proposition to print was concurred in.

Also a message transmitting a communication from His Excellency, the Governor, with the report of the Board of Directors of the Insane Asylum, proposing to print one thousand copies of said report. The proposition to print was concurred in.

Also a message transmitting

Resolution to print one thousand copies of the Inaugural Address of His Excellency, Governor Jarvis. The resolution was adopted.

By consent,

Mr. Williamson of Edgecombe introduced

S. R. 189, resolution requesting our Senators and Representatives in Congress to urge that the Commissioner of Agriculture be made Secretary of Agriculture and a member of the President's Cabinet.

On motion of Mr. Williamson of Edgecombe, the rules were suspended, and the resolution was taken up for consideration.

Mr. Finger moved to refer the resolution to the committee on Agriculture, Mechanics and Mining. Lost.

The resolution was then adopted and ordered engrossed.

By consent,

Mr. York introduced a resolution to increase the joint committee on Fish and Fish Interests.

On motion of Mr. York, the rules were suspended and the resolution was adopted.

On motion of Mr. Davidson, the Senate adjourned.

FOURTEENTH DAY.

SENATE CHAMBER, January 20th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Merritt: Petition to prohibit the sale of liquor within three miles of Merritt's chapel, in Chatham county. Referred to the committee on Prohibition.

By Mr. Harper: Petitions from citizens of Johnston county asking that prohibition be submitted to the people. Referred to the committee on Prohibition.

By Mr. Stowe: Petition from citizens of Gaston county asking for a prohibitory liquor law within one mile of Springfield Baptist colored church. Referred to the committee on Prohibition.

By Mr. Clarke: Petition from citizens of Craven county praying an income tax on fisheries. Referred to the committee on Fish and Fisheries.

By Mr. Jones: Petition for the relief of J. J. Cox of Carteret county. Referred to the committee on Propositions and Grievances.

Petition from citizens of Onslow county asking authority to levy a special tax. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance :

By Mr. Richardson : S. B. 71, bill to amend chapter 27, Laws of 1879, recommending it do pass.

Mr. Burwell, from committee on Finance, reported back petitions of Rev. H. M. Tupper, asking they be referred to committee on Propositions and Grievances. They were so referred.

From the committee on Fish and Fisheries :

By Mr. York : H. B. 17, S. B. 127, bill to prevent obstructing the passage of fish in Hiawassee river, recommending it do pass.

S. B. 168, bill to amend " an act to protect the fish interests of North Carolina," chapter 34, Laws of 1880, recommending it do pass.

H. B. 52, S. B. 132, bill to prevent the destruction of fish in Nantihali river and its tributaries, recommending it do pass.

From the committee on Propositions and Grievances :

By Mr. Battle : H. B. 168, S. B. 162, bill to prevent the felling of timber in Sugar Fork river in Macon county, recommending it do pass.

H. B. 1, S. B. 159, bill to prohibit the obstruction of the water in Little river, recommending it do pass.

S. B. 46, bill to provide for improving the low lands on Broad river in Rutherford county, recommending it do pass.

Mr. Battle, from same committee, reported back

S. B. 51, bill in regard to prisoners confined in jails, guard-houses and work-houses in North Carolina, recommending its reference to the committee on Penal Institutions. It was so referred.

Also, reported back

S. B. 139, bill to amend chapter 132, Laws of 1879, concerning divorce, recommending its reference to the committee on Judiciary. It was so referred.

By Mr. Glenn : H. B. 60, S. B. 148, bill to exempt minis-

ters of the gospel from working the public roads, reporting it back without recommendation.

By Mr. Eaves: H. B. 62, S. B. 160, bill to repeal so much of chapter 194, sections 1, 2 and 3, Laws of 1876-'77, as applies to Davidson and Guilford counties, recommending it do pass.

By Mr. Jones: S. B. 166, bill to declare Queen Anne's creek in Chowan county a lawful fence, recommending it do pass.

From committee on Engrossed Bills:

By Mr. Carr, as properly engrossed,

S. R. 167, resolution of instruction to the Judiciary Committee of the Senate and House of Representatives in regard to the enactment of a law to regulate the rates of freight charges upon railroads operating in this State.

S. B. 67, bill for the better protection of married women.

From committee on Enrolled Bills:

By Mr. Clarke, as correctly enrolled,

S. B. 90, an act to amend chapter 13 of the Private Laws of 1879, in relation to Wake Forest College.

S. B. 30, an act to amend Battle's Revisal, chapter 43, section 10.

S. B. 117, an act to prevent the felling of timber in Tuckaseegee river in Jackson county.

S. R. 63, resolution in relation to the pay of the Engrossing and Enrolling clerks.

S. R. 153, resolution on the election of Trustees.

Which were duly ratified and sent to the office of Secretary of State.

— BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Clarke: S. B. 190, bill to extend the time to re-

deem land sold for taxes. Referred to the committee on Finance.

S. B. 191, bill to incorporate the Board of Trade of Newbern, North Carolina. Referred to the committee on Corporations.

By Mr. Scott of New Hanover: S. B. 192, bill to extend the jurisdiction of justices of the peace. Referred to the committee on Judiciary.

By Mr. Parish: S. B. 193, bill to repeal sections 4 and 5, chapter 264, Laws of 1879. Referred to the committee on Judiciary.

By Mr. Battle: S. B. 194, bill to protect clients from fraudulent attorneys. Referred to the committee on Judiciary.

By Mr. Jones: S. B. 195, bill to authorize the Board of Commissioners of Onslow county to levy a special tax. Referred to the committee on Propositions and Grievances.

By Mr. Respass: S. B. 196, bill to amend section 41, acts of Special Session, 1880. Referred to committee on Judiciary.

By Mr. Dortch: S. B. 197, bill to provide for the completion of the Colored Insane Asylum near Goldsboro. Referred to the committee on Insane Asylum.

By Mr. Carr: S. R. 198, resolution requesting our Senators and Representatives in Congress to use their influence to secure the passage of H. R. 6741. Placed upon the Calendar.

S. B. 199, bill to incorporate the Jonesboro High School. Referred to the committee on Corporations.

S. B. 200, bill to amend and consolidate the insurance laws of North Carolina. Referred to the committee on Insurance, and ordered to be printed.

By Mr. Battle: S. R. 201, resolution in regard to the repeal of tax on brandy distilled from fruit. Placed upon the Calendar.

By Mr. Spruill: S. B. 202, bill amending the charter of

the Granville Railroad Company. Referred to the committee on Corporations.

The President laid before the Senate a communication from Mr. R. C. Moore of Jonesboro, endorsing the prohibition question, which was read.

Mr. York moved to reconsider the vote by which the resolution amending the Joint Rules so as to increase the joint committee on Fish and Fish Interests was adopted on yesterday, which prevailed.

Question recurring upon the adoption of the resolution, Mr. York submitted an amendment, which was adopted. Resolution was then adopted, and ordered engrossed.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 5, bill authorizing the treasurer of Johnston county to pay certain school orders, passed its third reading, and was ordered engrossed.

S. B. 83, bill to amend chapter 22, Laws of 1879, being an act in relation to probate of deeds, passed its third reading, and was ordered engrossed.

S. B. 105, bill to give the lien of laborers priority over all liens except the landlord's lien for rents, on its second reading.

On motion of Mr. Dortch, the bill was re-committed to the committee on Judiciary.

S. B. 108, bill to amend section 21, chapter 275, Laws of 1876-'77, on its second reading.

Mr. Staples moved the bill be laid on the table, on which Mr. Clarke demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 32, noes 12, as follows:

Those voting in the affirmative were
Messrs. Battle, Bernard, Blue, Burwell, Carr, Cunningham,

Dever, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hampton, Harper, Harris, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Staples, Stowe, Tucker and York—32.

Those voting in the negative were

Messrs. Carter, Clarke, Eaves, Hanes, Jenkins, King, Newsum, Scott of New Hanover, Spears, Williamson of Davie, Williamson of Edgecombe and Wynne—12.

S. B. 46, bill to provide for improving the low lands on Broad river in Rutherford county, passed its several readings and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 136, S. B. 203, bill to amend section 2, chapter 194, Laws of 1879. Referred to the committee on Judiciary.

H. B. 123, S. B. 204, bill to prevent the felling of timber in North Fork Catawba river, in McDowell county. Referred to the committee on Propositions and Grievances.

H. B. 116, S. B. 205, bill for the relief of Thomas F. Worley, late sheriff of Jones county. Placed on the Calendar.

H. B. 29, S. B. 206, bill to define the weight of cotton seed in this State. Referred to the committee on Propositions and Grievances.

H. B. 210, S. B. 207, bill to amend chapter 95, Laws of 1879, an act to prohibit the driving of cattle from North Carolina and Georgia, and other places in certain counties west of the Blue Ridge. Referred to the committee on Propositions and Grievances.

H. B. 222, S. B. 208, bill to amend chapter 34, acts of Special Session, 1880. Referred to the committee on Propositions and Grievances.

H. R. 45, S. R. 209, resolution authorizing the State Treasurer to refund a sum of money unlawfully collected from

Hooper Brother and Thomas. Referred to the committee on Finance.

Hon. R. P. Buxton appearing in the lobby of the Senate, On motion of Mr. Glenn, he was invited to a seat on the floor of the Senate.

The President requested Mr. Glenn to extend the invitation to Mr. Buxton, and escort him to a seat.

The Calendar was resumed.

S. B. 71, bill to amend chapter 27, Laws of 1879, passed its several readings and was ordered engrossed.

H. B. 17, S. B. 127, bill to prevent obstructing the passage of fish in Hiawassee river, passed its several readings and was ordered enrolled.

H. B. 67, S. B. 126, bill to prevent the hauling of seines and drag-nets in Hiawassee, Notalee and Valley rivers, Cherokee county, in certain seasons, passed its several readings and was ordered enrolled.

H. B. 52, S. B. 132, bill to prevent the destruction of fish in Nantihali river and its tributaries, passed its several readings and was ordered enrolled.

H. B. 60, S. B. 148, bill to exempt ministers of the Gospel from working public roads, was, on motion, laid on the table.

S. B. 152, bill relative to the meeting of the county commissioners of the State, was, on motion, laid on the table.

H. B. 1, S. B. 159, bill to prohibit the obstruction of the waters in Little river, passed its several readings and was ordered enrolled.

H. B. 62, S. B. 160, bill to repeal so much of chapter 194, sections 1, 2 and 3, Laws of 1876-'77, as applies to Davidson and Guilford counties, was,

On motion of Mr. Davidson, referred to the committee on Judiciary.

H. B. 168, S. B. 162, bill to prevent the felling of timber in Sugar Fork river in Macon county, passed its several readings and was ordered enrolled.

S. B. 166, bill to declare Queen Anne's creek in Chowan county a lawful fence, passed its several readings and was ordered engrossed.

S. B. 168, bill to amend "an act to protect the Fish Interest in North Carolina," chapter 34, Laws of 1880, passed its several readings and was ordered engrossed.

S. R. 182, resolution instructing the Judiciary committee to report a bill amendatory of the lien law, was adopted.

H. B. 116, S. B. 205, bill for the relief of Thomas F. Worley, late sheriff of Jones county, was,

On motion, referred to the committee on Finance.

S. R. 187, resolution to amend Joint Rules of the General Assembly, to promote accuracy and dispatch of business in proposed amendments of existing laws, failed to pass its second reading.

S. R. 198, resolution requesting our Senators and Representatives in Congress to use their influence to secure the passage of H. R. No. 6741, was adopted and ordered engrossed.

S. R. 201, resolution in regard to the repeal of tax on brandy distilled from fruit, was adopted and ordered engrossed.

By consent,

Mr. Clarke introduced

S. B. 210, bill to authorize the commissioners of Craven county to levy a special tax. Referred to the committee on Finance.

Mr. Richardson introduced

S. B. 211, bill to amend chapter 53, Laws of 1876-'77, in regard to mechanics' liens. Referred to the committee on Propositions and Grievances.

Mr. Tucker introduced

S. B. 212, bill to repeal section 4, chapter 216, Laws of 1870-'71. Referred to the committee on Judiciary.

Mr. Harris introduced

S. B. 213, bill to amend an act entitled "an act to incor-

porate the Oxford and Henderson Railroad Company, ratified 25th of March, 1871. Referred to the committee on Internal Improvements.

Mr. Scott of New Hanover introduced

S. B. 214, bill to amend chapters 92 and 116, Laws of 1879. Referred to the committee on Finance.

A message was received from the House transmitting engrossed

H. R. 64, S. R. 215, resolution instructing the Secretary of State to communicate with Superintendent of Census and procure an official statement of the population of each county in the State.

On motion, the rules were suspended and the resolution was adopted.

Mr. Battle moved that

H. B. 125, S. B. 119, bill for the relief of the Sheriff of Warren county be taken from the table and recommitted to the committee on Finance. Prevailed.

On motion of Mr. Dortch, leave of absence for three days was granted to the Principal Doorkeeper, Mr. Clifton.

On motion of Mr. Dortch, Mr. Williamson of Edgecombe was added to the committee on Judiciary.

On motion, the Senate adjourned.

FIFTEENTH DAY.

SENATE CHAMBER, January 21st, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Leave of absence was granted indefinitely to Mr. King; to Mr. Blue until Monday; to Mr. Carr and Mr. Newsom

until Tuesday ; to Mr. Woodhouse for six days, on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Cuningham : Petition for the re-appointment of W. B. Johnson, Esq., a Justice of the Peace for Locust Hill township in Caswell county. Referred to the joint committee on appointment of Justices of the Peace.

By Mr. Gudger : Petition of citizens of Mitchell county, asking the prohibition of the sale of spirituous liquors within four miles of the Free Will Baptist church on Spring creek in said county. Referred to the committee on Prohibition.

By Mr. Hanes : Petition from citizens of Davidson, asking for a general prohibitory law. Referred to the committee on Prohibition.

Petition from certain citizens of Forsyth, asking for a general prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Carr : Petition of citizens of Randolph, asking for the passage of a general prohibitory law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows :

From the committee on Finance :

By Mr. Richardson : S. B. 170, bill for the relief of sheriffs and tax-collectors, recommending it do not pass.

From the committee on Internal Improvements :

By Mr. Staples : S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the North Western

North Carolina Railroad, and to other roads in the State, asking it to be printed and re-committed. It was so ordered.

From the committee on Corporations:

By Mr. Lockhart: H. B. 92, S. B. 118, bill to incorporate Castonia Grove church, in Gaston county, and to prohibit the manufacture and sale of spirituous liquors within three miles thereof, recommending its reference to the committee on Prohibition. It was so referred.

S. B. 111, bill to incorporate Mt. Vernon Lodge, No. 359, A. F. and A. M., Stonewall, Pamlico county, recommending it do pass.

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy, on Roanoke river, in Plymouth, N. C., reporting an amendment, and, as amended, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 211, bill to amend chapter 53, acts of 1876-'77, in regard to mechanics' liens, recommending it do pass.

S. B. 112, bill supplemental to an act to amend section 1, chapter 6, Private Laws of 1870-'71, recommending it do not pass.

S. B. 59, bill for the relief of certain persons liable to road duty, without recommendation.

S. B. 27, bill to amend section 1, chapter 6, Private Acts 1870-'71, recommending it do not pass.

By Mr. Parish: S. B. 195, bill to authorize the Board of Commissioners of Onslow county to levy a special tax, recommending it do pass.

By Mr. Jones: H. B. 123, S. B. 204, bill to prevent the felling of timber in North Fork Catawba river, in McDowell county, recommending it do pass.

By Mr. Glenn: H. B. 210, S. B. 207, bill to amend chapter 95, Laws of 1879, "an act to prohibit the driving of cattle from North Carolina and Georgia, and other places in

certain counties west of the Blue Ridge," recommending it do pass.

S. B. 88, bill to insure the annual registration of vital statistics, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Eaves: H. B. 29, S. B. 206, bill to define the weight of cotton seed in this State, recommending it do pass.

From the committee on Salaries and Fees:

By Mr. Scott of Rockingham: S. B. 144, bill relating to the fees and actions of the justices of the peace, recommending it do not pass.

From the committee on Judiciary:

By Mr. Clarke: S. B. 72, bill to require the registration of deeds, reporting an amendment, and as amended recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Tucker, as properly engrossed,

S. B. 97, bill to punish the stealing of dead bodies.

Resolution amending the joint rules of the General Assembly, increasing the committee on Fish Interest.

S. R. 189, resolution requesting that our Senators and Representatives in Congress, urge that the Commissioner of Agriculture be made Secretary of Agriculture and a member of the President's Cabinet.

Senate substitute for

H. R. 52, S. R. 172, resolution to pay James Holeman, contestant from Person county, mileage and per diem.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Williamson of Davie: S. B. 216, bill to amend the Homestead Law, chapter 55, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Williamson of Edgecombe: S. B. 217, bill to incorporate the Fulton Fire Company of Tarboro, North Carolina. Referred to the committee on Corporations.

S. B. 218, bill to incorporate Tarboro Lodge, No. 1,821, G. U. Order of Odd-Fellows, (colored.) Referred to the committee on Corporations.

By Mr. Clarke: S. B. 219, bill to establish a public road through the State's land, and to improve the same. Referred to the committee on Internal Improvements.

S. B. 220, bill to regulate the punishment of larceny, when the amount stolen does not exceed five dollars. Referred to the committee on Judiciary.

By Mr. Newland: S. B. 221, bill to amend section 40, chapter 45, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Harris: S. B. 222, bill to appoint a cotton weigher for the town of Franklinton, North Carolina. Referred to the committee on Propositions and Grievances.

By Mr. Newsom: S. B. 223, bill to allow the people of Northampton and Bertie counties to elect their own magistrates and county commissioners. Referred to the committee on Judiciary.

By Mr. Tucker: S. B. 224, bill to authorize the Northwestern North Carolina Railroad to extend its road and to build branches thereof. Referred to the committee on Internal Improvements.

By Mr. Jones: S. R. 225, resolution for the relief of John McDaniel, of Jones county. Referred to the committee on Propositions and Grievances.

S. R. 226, resolution for the relief of J. J. Cox, a citizen of Carteret county. Referred to the committee on Propositions and Grievances.

By Mr. Davidson: S. B. 227, bill in relation to the punishment for violations of prohibitory liquor laws. Referred to the committee on Judiciary.

S. B. 228, bill to prohibit the sale and manufacture of in-

toxicating liquors within three miles of Bethel Baptist church, Paint Gap Baptist church, Teecy's Fork school-house and Pleasant Gap school-house in Madison county. Referred to the committee on Prohibition.

S. B. 229, bill to create a municipal official board for the respective counties of this State. Referred to the committee on Corporations.

By Mr. Staples : S. B. 230, bill to amend chapter 235, sections 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, section 17, in relation to the distribution of the Public Laws. Referred to the committee on Judiciary.

By Mr. Williamson of Edgecombe : S. B. 231, bill to provide for the regulation of railroad freights and passenger tariffs in this State, &c. Referred to the committee on Internal Improvements.

By consent, Mr. Respass was permitted to withdraw

S. B. 144, bill relating to the fees and actions of the justices of the peace.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 50, bill to amend chapter 135, Public Laws of 1879, so that Catawba county may be included in its provisions, passed its third reading, ayes 35, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuning-
ham, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn,
Hampton, Hanes, Harper, Harris, Jenkins, Jones, Lockhart,
Manning, Mebane, Merritt, Oates, Parish, Respass, Richard-
son, Scott of New Hanover, Scott of Rockingham, Spears,
Staples, Stowe, Tucker, Williamson of Davie, and York—35.

The bill was ordered engrossed.

S. B. 18, bill to provide special jurors in capital cases, passed its second reading.

S. B. 27, bill to amend section 1, chapter 6, Private Laws of 1870-'71, was, on motion, laid on the table.

S. B. 59, bill for the relief of certain persons liable to road duty, was, on motion, laid on the table.

S. B. 72, bill to require the registration of deeds, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

On motion of Mr. York, the bill was ordered printed.

S. B. 88, bill to insure the annual registration of vital statistics, on its second reading.

Amendment reported by the committee on Propositions and Grievances was adopted.

On motion of Mr. York, the bill was allowed to lie over.

S. B. 111, bill to incorporate Mt. Vernon Lodge, No. 359, A. F. and A. M., Stonewall, Pamlico county, passed its several readings, and was ordered engrossed.

S. B. 112, bill supplemental to an act to amend section 1, chapter 6, Private Laws, 1870-'71, was, on motion, laid on the table.

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river in Plymouth, North Carolina, on its second reading.

Amendment reported by the committee on Corporations was adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

S. B. 170, bill for the relief of sheriffs and tax collectors, was, on motion, laid on the table.

S. B. 181, bill to change the time of holding the Superior Courts in the counties of Johnston and Moore, in the fourth Judicial District, passed its several readings, and was ordered engrossed.

S. B. 195, bill to allow the Board of Commissioners of

Onslow county to levy a special tax, passed its second reading, ayes 39, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Oates, Parish, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Stowe, Tucker, Williamson of Davie, Wynne and York—39.

Mr. Hanes voted in the negative.

H. B. 123, S. B. 204, bill to prevent felling of timber in North Fork Catawba river, in McDowell county, passed its several readings and was ordered enrolled.

H. B. 210, S. B. 207, bill to amend chapter 95, Laws of 1879, an act to prohibit the driving of cattle from North Carolina, Georgia and other places in certain counties west of the Blue Ridge, passed its several readings and was ordered enrolled.

H. B. 29, S. B. 206, bill to define the weight of cotton seed in this State, on its second reading.

Mr. Battle moved to amend : Add after word " pounds " in first line, the words " of cotton seed ; " strike out in third line the words " of cotton seed. " Adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

S. B. 211, bill to amend chapter 53, Laws of 1876-'77, in regard to mechanics' liens, passed its several readings and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 38, S. B. 232, bill to amend section 31, chapter 102, Laws of 1868-'69. Referred to the committee on Judiciary.

H. B. 82, S. B. 233, bill for the relief of sheriffs and tax collectors in this State. Referred to the committee on Finance.

H. B. 120, S. B. 234, bill to incorporate the Fayetteville and Winston Railway Company. Referred to the committee on Internal Improvements.

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company. Referred to the committee on Corporations.

H. R. 36, S. R. 236, resolution relating to the Agricultural Department and Guano Works. Referred to the committee on Agriculture, Mechanics and Mining.

Engrossed House amendment to

S. B. 3, H. B. 191, bill for the protection of crops in Craven county.

On motion, the amendment was concurred in, and the bill ordered enrolled.

By consent,

Mr. Davidson introduced

S. B. 237, bill for the relief of the assignees of Pinkney Rollins & Co. Referred to the committee on Claims.

Mr. Davidson moved to reconsider the vote by which

H. B. 52, S. B. 132, bill to prevent the destruction of fish in Nantihali river and its tributaries, passed its third reading on yesterday, and moved to postpone the consideration of the motion until to-morrow, which prevailed.

The President announced the following as the Senate branch of the joint committee on the election of Trustees of the University :

Messrs. Merritt, Davidson and Clarke.

On motion, the Senate adjourned.

SIXTEENTH DAY.

SENATE CHAMBER, January 22d, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Staples for one day; to Mr. Lockhart for two days.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Cuninghame: Petition from Antioch Baptist church, asking for a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Tucker: Petition of citizens of Iredell county, to prohibit the sale of spirituous liquors within two miles of Friendship church, in said county. Referred to the committee on Prohibition.

By Mr. Battle: Petition of certain parties of Griffin's township, Nash county, for a prohibitory liquor law within three miles of Social Union Baptist church, (colored). Referred to the committee on Prohibition.

By Mr. Scott of Rockingham: Petition of certain citizens of Rockingham, asking for the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Scott of Rockingham: S. B. 191, bill to incorporate the Board of Trade of the city of Newbern, returning

the same without consideration, the law concerning application for incorporation not having been complied with.

S. B. 149, bill to amend the charter of the town of Hickory, recommending it do pass.

By Mr. Hanes: S. B. 202, bill amending the charter of the Granville Railroad Company, reporting amendments, and, as amended, recommending it do pass.

From the committee on Judiciary:

By Mr. Glenn: S. B. 87, bill to prevent the desecration of, and disturbance on, the Sabbath day, recommending it do not pass.

By Mr. Parish: S. B. 134, bill to repeal chapter 116, Acts of 1879, recommending it do not pass.

By Mr. Dortch: S. B. 102, bill to amend chapter 325, Laws of 1879, entitled "an act to provide a fund for the payment of jurors," reporting a substitute, and recommending the substitute do pass.

S. B. 98, bill to allow defendants in certain criminal actions to become witnesses for themselves, recommending it do pass.

S. B. 103, bill to allow the defendant in all criminal actions to testify in his own behalf, recommending it do not pass.

S. B. 175, bill to permit defendants in criminal cases to testify in their own behalf, recommending it do not pass.

By Mr. Tucker: H. B. 20, S. B. 133, bill to repeal section 41, chapter 34, Revised Code, as brought forward in section 43, chapter 32, Battle's Revisal, recommending it do pass.

By Mr. Davidson: H. B. 74, S. B. 129, bill to amend chapter 49, Laws of 1879, reporting amendments, and as amended recommending it do pass.

By Mr. Burwell: S. B. 110, bill to amend section 43, chapter 17, Battle's Revisal, reporting an amendment, and as amended recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 222, bill to appoint a cotton weigher

for the town of Franklinton, reporting an amendment, and as amended recommending it do pass.

By Mr. Parish: S. B. 113, bill to prevent the destruction of quails in North Carolina, recommending it do not pass.

By Mr. Glenn: S. R. 226, resolution for the relief of J. J. Cox, a citizen of Carteret county, recommending it do pass.

H. B. 222, S. B. 208, bill to amend chapter 34, Acts of the Special Session of 1880, recommending that it do pass.

From the committee on Finance:

By Mr. Richardson: S. B. 210, bill to authorize the commissioners of Craven county to levy a special tax, recommending it do pass.

S. B. 214, bill to amend chapters 92 and 116, Laws of 1879, recommending it do not pass.

H. B. 116, S. B. 205, bill for the relief of Thomas F. Worley, late sheriff of Jones county, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Hanes, as properly engrossed,

S. B. 80, bill to amend subdivision 7, section 41, chapter 78, Battle's Revisal.

S. B. 168, bill to amend an act entitled an act to protect the fish interest in North Carolina, chapter 34, Laws of 1880.

S. R. 198, resolution requesting our Senators and Representatives in Congress to use their influence to secure the passage of H. R. No. 6741.

S. R. 201, resolution in regard to the repeal of tax on brandy distilled from fruit.

S. B. 61, bill to amend chapter 63 of the Acts of 1879.

S. B. 81, bill to amend section 37, chapter 105, Battle's Revisal.

S. B. 73, bill to amend chapter 79, Acts of 1879.

S. B. 166, bill to declare Queen Anne's creek in Chowan county a lawful fence.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time and disposed of as follows:

By Mr. Scott of Rockingham: S. B. 238, bill to amend chapter 57, sections 9 and 10, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Jones: S. B. 239, bill to amend chapter 189, Laws of 1879, and regulate the sale of fish. Referred to the committee on Judiciary.

By Mr. Carter: S. B. 240, bill to amend "an act to establish county governments." Referred to the committee on Judiciary.

By Mr. Cuninghame: S. B. 241, bill to prohibit the sale of spirituous liquors within three miles of Antioch church in Person county. Referred to the committee on Prohibition.

By Mr. York: S. B. 242, bill to exempt all graduates of medicine or surgery from the provisions of chapter 258, Laws of 1858-'59, and chapter 117, Laws of 1879. Referred to the committee on Propositions and Grievances.

S. B. 243, bill to apply all moneys collected from persons failing or refusing to work the public roads in Wilkes county, to the better improvement of that section of road from which the money was derived. Referred to the committee on Propositions and Grievances.

By Mr. Newland: S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway Company. Referred to the committee on Corporations.

By Mr. Manning: S. B. 245, bill to prohibit the sale of liquor within three miles of New Hope church in the county of Perquimans. Referred to the committee on Prohibition.

By Mr. Dortch: S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers to go beyond the limits of the State. Referred to the committee on Finance.

By Mr. Scott of New Hanover: S. B. 247, bill to incor-

porate the Clarendon Water-works Company. Referred to the committee on Corporations.

S. B. 261, bill to incorporate Clarendon Council, No. 67, of the American Legion of Honor. Referred to the committee on Corporations.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency the Governor, in response to Senate resolution asking information concerning the Albemarle and Chesapeake Canal, which was read.

On motion of Mr. Williamson of Edgecombe, the communication was ordered printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House informing the Senate of the concurrence by that body in the Senate amendment to

H. R. 52, S. R. 172, resolution to pay James Holeman, contestant from Person county, mileage and per diem, and had ordered the same enrolled for ratification.

Also, transmitting engrossed

H. B. 118, S. B. 247½, bill to amend chapter 8, Laws of Special Session of 1880. Referred to the committee on Judiciary.

H. B. 147, S. B. 248, bill to amend section 1, chapter 195, Laws of 1874-'75, known as an act for the protection of birds in certain counties. Referred to the committee on Judiciary.

H. B. 262, S. B. 249, bill to repeal chapter 128, Laws of 1874-'75. Referred to the committee on Finance.

H. B. 259, S. B. 250, bill to make the provisions of chapter 34, Acts of 1880, apply to John's river in Caldwell county. Referred to the committee on Fish and Fisheries.

H. B. 188, S. B. 251, bill to amend chapter 260, Laws of 1879. Referred to the committee on Propositions and Grievances.

H. B. 220, S. B. 252, bill to amend section 2, chapter 120, Battle's Revisal, relating to the official bonds of Commissioners of Wrecks. Referred to the committee on Judiciary.

H. B. 172, S. B. 253, bill to prevent the felling of trees in the Yadkin river. Referred to the committee on Propositions and Grievances.

H. B. 206, S. B. 254, bill to relieve the citizens of Buncombe county from the operations of a law passed at the Special Session of 1880, relating to driving cattle west of the Blue Ridge. Referred to the committee on Judiciary.

H. B. 51, S. B. 255, bill to assign convicts to the Scotland Neck branch of the Wilmington and Weldon Railroad Company. Referred to the committee on Penal Institutions.

H. B. 34, S. B. 256, bill to repeal an act relating to roads and highways in the counties of Stokes, Mecklenburg and Forsyth. Referred to the committee on Propositions and Grievances.

H. B. 186, S. B. 257, bill to prevent obstruction to the free passage of water in Irish Buffalo creek in Cabarrus county. Referred to the committee on Fish and Fisheries.

H. B. 183, S. B. 258, bill to incorporate the Star of Bladen Lodge, No. 1967, United Order of Odd Fellows. Referred to the committee on Corporations.

H. B. 88, S. B. 259, bill to protect game in Iredell, Alexander, Henderson and other counties in the State. Referred to the committee on Judiciary.

H. R. 56, S. R. 260, resolution to appoint a Commissioner as required by sections 69 and 70, chapter 78, Battle's Revisal, concerning accounts of State Treasurer. Referred to the committee on Finance.

Mr. Williamson of Davie moved to reconsider the vote by which

S. B. 50, bill to amend chapter 135, Public Laws of 1879,

so that Catawba county may be included in its provisions, passed its third reading on yesterday. The motion prevailed.

The question recurring upon the passage of the bill on its third reading,

Mr. Williamson of Davie moved to amend: In section 1, in lines 9 and 10, strike out the word "and" between the words "Catawba and Guilford," and add after the word "Guilford," in line 10, the words "and Rowan." And in line 12 of said section strike out the word "and" before the word "Guilford" and insert after the word "Guilford" the words "and Rowan." In section 2, in line 8, after the word "Randolph," insert the word "Rowan." Adopted.

The bill then passed its third reading, ayes 32, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Cuningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Hampton, Hanes, Harper, Jenkins, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—32.

On motion of Mr. Respass,

S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers to go beyond the limits of the State, was recalled from the Finance committee and placed on the Calendar.

On motion of Mr. Respass, the rules were suspended and the bill taken up on its second reading.

Mr. Scott of New Hanover moved to refer the bill to the committee on Finance. Lost.

On the passage of the bill its second reading, Mr. Spears demanded the ayes and noes, which were ordered, and the bill passed, ayes 27, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Cuningham, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Harris, Jones, Manning, Mebane, Merritt, Newland, Oates, Parish,

Respass, Richardson, Scott of New Hanover, Spruill, Tucker, Williamson of Edgecombe, Wynne and York—27.

Those voting in the negative were

Messrs. Carter, Davidson, Eaves, Glenn, Gudger, Hanes, Jenkins, Scott of Rockingham, Spears and Stowe—10.

On motion of Mr. Williamson of Edgecombe, the rules were suspended, and the bill put upon its third reading.

On motion of Mr. Glenn, the bill was postponed until Tuesday, 25th inst., at 12 m., and made the special order for that hour.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 18, bill to provide special jurors in capital cases, on its third reading.

Mr. Burwell moved to amend: strike out section 6. Adopted.

Mr. Williamson of Edgecombe moved to amend: "*Provided*, That the sheriff shall be allowed mileage for summoning said jurors." Lost.

Bill then passed its third reading.

Mr. Davidson moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The motion of Mr. Davidson to reconsider the vote by which

H. B. 52, S. B. 132, bill to prevent the destruction of fish in the Nantihali river and its tributaries, passed its third reading, prevailed.

The question recurring upon the passage of the bill its third reading,

Mr. Davidson moved to amend: strike out section 3, and insert in lieu thereof the following:

"SECTION 3, Whenever the Nantihali river forms the dividing line between any counties in this State, persons offending against the provisions of this act may be prosecuted and punished in the courts of any of the counties between which the said river constitutes the dividing line."

Adopted.

Bill then passed its third reading, and the amendment was ordered engrossed.

S. B. 195, bill to authorize the Board of Commissioners of Onslow county to levy a special tax, passed its third reading, ayes 30, noes 2, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Cuning-
ham, Dickey, Dortch, Faison, Glenn, Gudger, Hampton,
Harper, Harris, Jenkins, Jones, Manning, Mebane, Merritt,
Newland, Oates, Parish, Respass, Scott of New Hanover,
Scott of Rockingham, Spruill, Stowe, Tucker, Williamson
of Davie and York—30.

Those voting in the negative were

Messrs. Hanes and Spears—2.

S. B. 87, bill to prevent the desecration of, and disturbance on, the Sabbath day, on its second reading.

On motion of Mr. Davidson, it was postponed until Tuesday, 25th instant., at one o'clock p. m., and made the special order for that hour.

Mr. Williamson of Edgecombe moved to adjourn. Lost.

S. B. 102, bill to amend chapter 325, Laws of 1879, entitled "an act to provide a fund for the payment of jurors," on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its second reading.

On motion of Mr. Davidson, the Senate adjourned.

SEVENTEENTH DAY.

SENATE CHAMBER, January 24th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Mr. Pridgen, Senator elect from the 13th District, was announced present; he came forward, took the oath of office and was seated.

Mr. Harris was announced absent on account of sickness.

Leave of absence was granted Mr. Oates for to-day.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Spruill: Petition of citizens of Pamlico, asking the prohibition of the sale of liquor within one mile of school house in district No. 2. Referred to the committee on Prohibition.

By Mr. Richardson: Petition of certain citizens of Columbus county, asking the prohibition of the sale of liquor within three miles of Macedonia Baptist church in said county. Referred to the committee on Prohibition.

By Mr. Finger: Petition of citizens of Lincoln county against the repeal of the law relative to the passage of fish in the South Fork of Catawba river. Referred to the committee on Fish and Fisheries.

REPORTS OF COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. York: H. B. 186, S. B. 257, bill to prevent ob-

struction to the free passage of water in Irish Buffalo creek, Cabarrus county, recommending it do pass.

S. B. 178, bill to repeal chapter 105, Private Laws of 1876-'77, and chapter 24, Private Laws of 1879, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina, and to regulate the catching of the same, recommending its reference to the committee on Fish and Fisheries. It was so referred.

From the committee on Engrossed Bills:

By Mr. Hanes, as properly engrossed,

S. B. 5, bill authorizing the treasurer of Johnston county to pay certain school orders;

S. B. 181, bill to change the time of holding the Superior Courts in the counties of Johnston and Moore, in the Fourth Judicial District;

Senate amendment to H. B. 29, S. B. 206, bill to define the weight of cotton seed in this State;

Senate amendment to H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river, in Plymouth, North Carolina.

By Mr. Clarke, as correctly enrolled:

S. B. 3, an act for the protection of crops in Craven county;

S. R. 172, resolution to pay James Holeman, the contestant from Person county, his mileage and per diem;

S. B. 207, an act to amend chapter 95, Laws of 1879, an act to prohibit the driving of cattle from North Carolina and Georgia, and other places in certain counties;

S. B. 127, an act to prevent obstructing the passage of fish in Hiawassee river;

S. B. 126, an act to prevent the hauling of seines and drag-nets in Hiawassee, Notalee and Valley rivers, in Cherokee county in certain seasons;

S. B. 162, an act to prevent the felling of timber in Sugar Fork river in Macon county ;

S. B. 204, an act to prevent the felling of timber in North Fork Catawba river in McDowell county ;

S. B. 19, an act to incorporate "Oak Ridge Institute ;"

Which were duly ratified and sent to the office of Secretary of State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. York: S. B. 262, bill to allow A. M. Church, sheriff of Wilkes county, to collect arrears of taxes for the years 1879 and 1880. Referred to the committee on Finance.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 102, bill to amend chapter 325, Laws of 1879, entitled "an act to provide a fund for the payment of jurors," passed its third reading, and was ordered engrossed.

S. B. 110, bill to amend Battle's Revisal, chapter 17, section 43, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its several readings and was ordered engrossed.

S. B. 113, bill to prevent the destruction of quails in North Carolina, on its second reading.

On motion of Mr. Clarke, the bill was referred to the committee on Judiciary.

H. B. 74, S. B. 129, bill to amend chapter 49, Laws of 1879, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

H. B. 20, S. B. 133, bill to repeal section 41, chapter 34, Revised Code, as brought forward in section 43, chapter 32, Battle's Revisal, was,

On motion of Mr. Richardson, laid on the table.

S. B. 149, bill to amend the charter of the town of Hickory, passed its several readings and was ordered engrossed

S. B. 202, bill amending the charter of the Granville Railroad Company, on its second reading.

On motion of Mr. Cuningham, the bill and amendments reported by the committee on Corporations were postponed until Tuesday, 1st day of February next, made the special order for 1 p. m., and ordered printed.

H. B. 116, S. B. 205, bill for the relief of Thomas F. Worley, late sheriff of Jones county, passed its several readings and was ordered enrolled.

H. B. 222, S. B. 208, bill to amend chapter 34, Acts of the Special Session of 1880, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 151, S. B. 263, bill to authorize the consolidation of the Atlantic Coast Railway and the Fayetteville and Florence Railroad Company. Referred to the committee on Corporations.

H. B. 286, S. B. 264, bill to provide for the erection of a hospital in the city of Wilmington. Placed upon the Calendar.

Also announcing the concurrence by that honorable body in Senate amendment to

H. B. 29, S. B. 206, bill to define the weight of cotton seed, and had ordered the same enrolled for ratification.

Also announcing the refusal of the House to concur in Senate amendment to

H. B. 22, S. B. 157, bill to incorporate the Roanoke Non-Sectarian Male and Female Academy, Roanoke river, Plymouth.

By consent,

Mr. York introduced

S. R. 265, resolution for the benefit of assistants to the Principal Clerks of the General Assembly. Referred to the joint committee on Employees of the General Assembly.

Mr. Manning introduced

S. B. 266, bill to amend chapter 200, Laws of 1879. Referred to the committee on Judiciary.

Mr. Staples introduced

S. B. 267, bill for the relief of Robert M. Stafford, late sheriff of Guilford county. Placed on the Calendar.

Mr. Respass introduced

S. B. 268, bill to increase the revenue of the State. Referred to the committee on Propositions and Grievances.

Mr. Clarke introduced

S. B. 269, bill to provide for the construction of the Newbern and Beaufort Canal. Referred to the committee on Internal Improvements.

The Calendar was resumed.

S. B. 210, bill to authorize the commissioners of Craven county to levy a special tax, passed its second reading, ayes 33, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Clarke, Cuningham, Dever, Dickey, Eaves, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Jones, Manning, Merritt, Newland, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—33.

Mr. Davidson voted in the negative.

S. R. 226, resolution for the relief of J. J. Cox, a citizen of Carteret, was, on motion, laid on the table.

H. B. 286, S. B. 264, bill to provide for the erection of a hospital in the city of Wilmington, passed its several readings and was ordered enrolled.

Mr. Richardson moved to reconsider the vote by which

S. B. 211, bill to amend chapter 53, Laws of 1876-'77, in regard to mechanics' liens, passed its third reading, which prevailed.

Question recurring upon the passage of the bill on its third reading,

Mr. Richardson offered a substitute for the bill, which was adopted.

Bill then passed its third reading and was ordered engrossed.

S. B. 178, bill to repeal chapter 105, Private Laws of 1876-'77, and chapter 24, Private Laws of 1879, on its second reading.

On motion of Mr. Williamson of Edgecombe, the bill was recommitted to the committee on Fish and Fisheries, and ordered printed.

S. B. 267, bill for the relief of Robert M. Stafford, late sheriff of Guilford county, on its second reading.

Mr. Stowe moved to amend: "Insert the Sheriff of Cleveland." Accepted.

Mr. Spruill and Mr. Glenn submitted amendments.

On motion of Mr. Williamson of Davie, the bill, with pending amendments, were referred to the committee on Propositions and Grievances.

On motion of Mr. Tucker, the Senate adjourned.

EIGHTEENTH DAY.

SENATE CHAMBER, January 25th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Watkins.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Hanes: Petition to prohibit the sale of liquor within three miles of Shiloh Academy in Davidson county. Referred to the committee on Prohibition.

REPORTS.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: S. B. 262, bill to allow A. M. Church, sheriff of Wilkes county, to collect the arrears of taxes for the years 1879 and 1880, recommending it do not pass.

S. B. 138, bill to re-assess property in certain townships in Rutherford county, recommending it do not pass.

By Mr. Burwell: H. R. 45, S. R. 209, resolution authorizing the State Treasurer to refund a sum of money unlawfully collected from Hooper Brother and Thomas, recommending it do pass.

From the committee on Internal Improvements:

By Mr. York: S. B. 224, bill to authorize the Northwestern North Carolina Railroad to extend its road and to build branches thereof, recommending it do pass.

From the committee on Judiciary:

By Mr. Williamson of Davie: H. B. 66, S. B. 158, bill to prevent cruelty to animals, recommending it do pass.

By Mr. Spruill: H. B. 62, S. B. 160, bill to repeal so much of chapter 194, sections 1, 2 and 3, Laws of 1876-'77, as applies to Davidson and Guilford counties, recommending it do not pass.

By Mr. Staples: S. B. 44, bill to appoint competent judges and inspectors of elections, a majority recommending it do not pass.

S. B. 143, bill to amend chapter 53, Battle's Revisal, recommending it do pass.

By Mr. Clarke: S. B. 156, bill to re-enact section 1, chapter 108, Battle's Revisal, entitled "Statutes, Repeal and Construction of," recommending it do pass.

By Mr. Glenn: S. B. 136, bill to amend an act to establish county governments, ratified the 27th day of February, 1877, a majority recommending it do not pass.

By Mr. Parish: S. B. 139, bill to amend chapter 132, Public Laws, 1879, concerning divorce, recommending it do not pass.

By Mr. Whitaker: S. B. 154, bill to amend subdivision 2, section 4, chapter 37, Battle's Revisal, recommending it do pass.

By Mr. Dortch: S. B. 94, bill to re-enact chapter 40, Revised Code, entitled "draining and damning low lands," recommending it do pass.

By Mr. Williamson of Edgecombe: S. R. 32, resolution to enquire into the official conduct of David Schenck, Judge, &c., at the late term of the Superior Court of Pamlico county, reporting unanimously that Judge Schenck is without fault in the matter complained of, and asking to be discharged from its further consideration. Which request was granted.

From the committee on Corporations:

By Mr. Williamson of Edgecombe: S. B. 47, bill to incorporate the Fulton Fire Company of Tarboro, North Carolina, recommending it do pass.

S. B. 218, bill to incorporate Tarboro Lodge, No. 1,821, G.

U. Order of Odd Fellows, (colored,) recommending it do pass.

By Mr. Lockhart: S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway Company, reporting an amendment, as amended, recommending it do pass.

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed,

S. B. 46, bill to provide for improving the low lands on Broad River in Rutherford county;

S. B. 195, bill to authorize the Board of Commissioners of Onslow county to levy a special tax;

S. B. 18, bill to provide special jurors in capital cases;

H. B. 52, S. B. 132, amendment to bill to prevent the destruction of fish in Nantihali river and its tributaries;

S. B. 111, bill to incorporate Mt. Vernon Lodge, No. 359, A. F. and A. M., Stonewall, Pamlico county;

S. B. 50, bill to amend chapter 135, Public Laws of 1879, so that Catawba county may be included in its provisions.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Richardson: S. B. 270, bill to require the State Treasurer to sell certain bonds and apply the proceeds to the common school fund. Referred to the committee on Finance.

By Mr. Gudger: S. R. 271, resolution to allow the citizens of Mitchell county to elect their justices of the peace and county commissioners as other officers are elected. Referred to the joint committee on Privileges and Elections.

By Mr. Williamson of Davie: S. B. 272, bill to enable the courts to complete the trial of causes in progress. Referred to the committee on Judiciary.

By Mr. Stowe: S. B. 273, bill to incorporate the town of Cherryville in Gaston county. Referred to the committee on Corporations.

By Mr. Merritt: S. B. 274, bill to change the time for holding elections on the question of prohibition in Chatham county. Placed upon the Calendar.

By Mr. Hanes: S. B. 275, bill to prevent the sale of spirituous liquors within three miles of Shiloh Academy in Davidson county, and for other purposes. Referred to the committee on Education.

S. B. 276, bill to encourage and protect the investment of capital for mining purposes. Referred to the committee on Judiciary.

By Mr. Dortch: S. R. 277, resolution to provide a roster of North Carolina troops engaged in the late war. Referred to the committee on Library.

By Mr. Staples: S. R. 278, (by request), resolution in relation to Yorktown. Referred to the committee on Finance.

By Mr. Manning: S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Eaves: S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 171, S. B. 281, bill to prevent the felling of timber in the water-courses of Cabarrus county. Referred to the committee on Propositions and Grievances.

H. B. 205, S. B. 282, bill to promote the growth of oysters in New river in Onslow county. Referred to the committee on Fish and Fisheries.

H. B. 86, S. B. 283, bill to regulate the weighing of cotton

in the city of Newbern. Referred to the committee on Propositions and Grievances.

H. B. 221, S. B. 284, bill to legalize the election held in Marion, McDowell county, on the first Monday in May, 1880. Referred to the committee on Judiciary.

H. B. 10, S. B. 285, bill to amend section 3, chapter 135, Laws of 1879. Referred to the committee on Propositions and Grievances.

H. B. 224, S. B. 286, bill giving aid to the North Carolina Industrial Association. Referred to the committee on Finance.

H. R. 9, S. R. 287, resolution to amend the resolution providing for aid for the Orphan Asylum at Oxford, N. C., ratified the 14th day of March, 1879. Referred to the committee on Finance.

Also announcing the concurrence by that honorable body in Senate amendments to

H. B. 52, S. B. 132, bill to prevent the destruction of fish in the Nantihali river and tributaries, and had ordered the same enrolled for ratification.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 210, bill to authorize the commissioners of Craven county to levy a special tax, passed its third reading, ayes 34, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cunningham, Davidson, Dever, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hampton, Harper, Jenkins, Jones, Manning, Mebane, Merritt, Newland, Oates, Parish, Respass, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—34.

In the negative, Mr. Spears.

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river, in Plymouth, N. C., the question being upon the refusal of the House to concur in Senate amendment.

Mr. Clarke moved the Senate recede from its amendment. Lost.

Mr. Parish moved that a message be sent to the House announcing the refusal of the Senate to recede, and asking a committee of conference. It was so ordered.

SPECIAL ORDER.

The hour of 12 M. having arrived,

S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers to go beyond the limits of the State, was taken up on its third reading, it being the special order for this hour.

Mr. Gudger moved to amend: "Provided this act shall not apply to those counties lying west of the Blue Ridge." Adopted.)

Mr. Carter moved to amend: "Provided this act shall not apply to Warren county."

Mr. Staples moved to indefinitely postpone.

Pending consideration,

On motion of Mr. Dortch, the Senate adjourned.

NINETEENTH DAY.

SENATE CHAMBER, January 26th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Spruill until Wednesday next.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Carr: Petition asking for the passage of a prohibitory liquor law within two and a-half miles of Bethel church, Fishing Creek township, Granville county, N. C. Referred to committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: H. B. 9, S. B. 147, bill to amend the law in regard to finance committee, recommending it do not pass.

By Mr. Burwell: S. B. 270, bill to require the Public Treasurer to sell certain bonds and apply the proceeds thereof to the common school fund, reporting a substitute and recommending the substitute do pass.

From the committee on Fish and Fisheries:

By Mr. York: H. B. 72, S. B. 161, bill to amend chapter 244, Laws of 1879, by exempting manufacturers on the South Fork of Catawba river, &c., recommending its passage, and asking it be recommitted. It was so ordered.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed: S. B. 83, bill to amend chapter 22, Laws of 1879, being an act in relation to probate of deeds;

S. B. 211, bill to amend chapter 53, of the Acts of 1876-'77, in regard to mechanics' liens;

S. B. 149, bill to amend the charter of the town of Hickory;

Senate amendment to

H. B. 74, S. B. 129, bill to amend chapter 49, Laws of 1879.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Glenn: S. B. 288, bill to be entitled an act to amend the charter of the town of Winston. Referred to the committee on Corporations.

By Mr. Staples: S. B. 289, bill to provide adequate clerical force in the Treasury department. Referred to the committee on Finance.

By Mr. Whitaker: S. B. 290, bill to amend section 177, Code Civil Procedure. Referred to the committee on Judiciary.

Mr. Spears was announced absent on account of sickness.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the concurrence of that honorable body in the proposition of the Senate for a committee of conference on Senate amendment to

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy, &c., and announcing as House branch of said committee Messrs. Manning, Rowland, Glenn of Rockingham, Hicks and Green of Craven.

The President announced as Senate branch of said committee Messrs. Parish, Lockhart and Clarke.

Also transmitting engrossed

H. B. 73, S. B. 291, bill to authorize the sheriff of Polk county to take up jury tickets for taxes. Referred to the committee on Finance.

UNFINISHED BUSINESS.

S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers going beyond the limits of the State was taken up, it being unfinished business of yesterday.

On motion of Mr. Newland, the unfinished business was postponed.

On motion of Mr. Newland, the rules were suspended, and

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company was taken up, passed its several readings, and was ordered enrolled.

On motion of Mr. Newland, the rules were suspended, and

S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway was taken up on its second reading.

Amendment reported by the committee on Corporations was adopted.

Bill then passed its second reading.

The unfinished business was then taken up, being S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers to go beyond the limits of the State.

Mr. Dortch gave notice of a motion to reconsider the vote by which the amendment to strike out the counties west of the Blue Ridge from the provisions of the bill was adopted on yesterday.

Mr. Davidson demanded the previous question, which was sustained.

Question recurring upon the motion to indefinitely postpone,

Mr. Staples demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 25, noes 18, as follows:

Those voting in the affirmative were

Messrs. Carter, Clarke, Cuninghame, Davidson, Eaves, Faison, Finger, Glenn, Gudger, Hanes, Jenkins, Mebane, Newland, Newsom, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and York—25.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Dickey, Dortch, Faison, Foil, Hampton, Harper, Harris, Jones, Lockhart, Manning, Oates, Respass and Spruill—18.

SPECIAL ORDER.

S. B. 87, bill to prevent the desecration of, and disturbance on, the Sabbath day, being the second special order for yesterday, was taken up on its second reading and lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 249, S. B. 291½, bill to extend the corporate limits of the town of Clayton in Johnston county. Referred to the committee on Corporations.

H. B. 232, S. B. 292, bill to allow the commissioners of Henderson county to levy a special tax. Referred to the committee on Finance.

H. B. 278, S. B. 293, bill to incorporate Tucker's Grove Camp Ground in Lincoln county. Referred to the committee on Corporations.

H. B. 247, S. B. 294, bill to prevent the felling of trees and brush in Dally's Gut and Green's Thoroughfare. Referred to the committee on Propositions and Grievances.

H. B. 268, S. B. 295, bill for the relief of the sheriff of Watauga county. Referred to the committee on Finance.

H. B. 321, S. B. 296, bill to make Brunswick river a law-

ful fence. Referred to the committee on Propositions and Grievances.

H. B. 309, S. B. 297, bill to protect fish in the waters of Tyrrell county. Referred to the committee on Fish and Fisheries.

H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railway Company, &c. Referred to the committee on Internal Improvements.

H. B. 80, S. B. 299, bill to charter the Roxboro Railroad Company. Referred to the committee on Internal Improvements.

H. B. 273, S. B. 300, bill for the benefit of the farmers on the Beaver Dam and Neck lands between Upper and Lower Little rivers. Referred to the committee on Propositions and Grievances.

Mr. Staples moved to reconsider the vote by which

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company, passed its third reading this morning, and moved to postpone the consideration of the motion until to-morrow. The latter motion prevailed.

Mr. Davidson from the committee on the Judiciary, by consent, reported back

S. R. 2, resolution to provide for the codification of the Public Laws;

S. B. 52, bill to authorize the speedy publication of a new compilation and revisal of all Public Statute Laws of the State of North Carolina;

S. B. 96, bill for revising and digesting the Public Statute Laws of the State;

Asking to be discharged from their further consideration.

By consent,

Mr. Davidson introduced

S. B. 301, bill to provide for revising and digesting the Public Statute Laws of this State.

On motion of Mr. Davidson, the rules were suspended,

the bill was ordered printed, and made the special order for Wednesday next, 2nd February, at 12 o'clock, M.

On motion, the Senate adjourned.

TWENTIETH DAY.

SENATE CHAMBER, January 27th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

Mr. Spears was announced absent on account of sickness.

Leave of absence was granted Messrs. Finger, Foil, Harris, Manning and Williamson of Davie.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Merritt: Petition of Bethany Baptist church in Chatham county, on Prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows :

From the committee on Judiciary :

By Mr. Williamson of Edgecombe: S. B. 177, bill to amend chapter 92, section 2, Laws of 1879, to limit the powers of magistrates in peace warrants, recommending it do not pass.

H. B. 136, S. B. 203, bill to amend section 2, chapter 194, Laws of 1879, recommending it do pass.

By Mr. Burwell: S. B. 193, bill to repeal sections 4 and 5, chapter 264, Laws of 1879, recommending it do not pass.

S. B. 68, bill to prevent fraud and forgery, recommending it do not pass.

By Mr. Lockhart: S. B. 196, bill to amend chapter 41, Acts Special Session, 1880, recommending its reference to the committee on Finance. It was so referred.

S. B. 31, bill to remove suits and other proceedings from clerks who are interested therein or related to the parties, recommending it do not pass.

By Mr. Glenn: S. B. 137, bill for the protection of the proprietors of livery and other stables, recommending it do not pass.

By Mr. Davidson: S. B. 227, bill in relation to the punishment for violations of prohibitory liquor laws, recommending it do pass.

S. B. 173, bill to regulate the mode of enforcing judgments rendered in the Supreme Court of North Carolina, recommending it do pass.

By Mr. Staples: S. B. 174, bill to prevent attorneys or counsellors at law from becoming surety, recommending it do not pass.

S. B. 230, bill to amend chapter 235, sections 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, section 17, in relation to the distribution of the Public Laws, recommending it do pass.

By Mr. Tucker: S. B. 192, bill to extend the jurisdiction of justices of the peace, recommending it do not pass.

By Mr. Whitaker: S. B. 266, bill to amend chapter 200, Laws of 1879, recommending it do not pass.

H. B. 31, S. B. 146, bill to punish the crime of producing abortion, recommending it do not pass.

From the committee on Propositions and Grievances:

By Mr. Battle: H. B. 171, S. B. 281, bill to prevent the felling of timber in the water-courses in Cabarrus county, recommending it do pass.

H. B. 321, S. B. 296, bill to make Brunswick river a law-fence, recommending it do not pass.

H. B. 247, S. B. 294, bill to prevent the felling of trees and brush in Dally's Gut, and Green's Thoroughfare, recommending it do not pass.

S. B. 239, bill to amend chapter 189, Laws of 1879, and regulate the sale of fish, recommending it do pass.

H. B. 10, S. B. 285, bill to amend section 3, chapter 135, Laws of 1879, recommending it do pass.

H. B. 188, S. B. 251, bill to amend chapter 260, Laws of 1879, recommending it do pass.

H. B. 273, S. B. 300, bill for the benefit of farmers on the Beaver Dam and Neck lands between Upper and Lower Little rivers, recommending it do pass.

S. B. 268, bill to increase the revenue of the State, recommending its reference to the committee on Finance. It was so referred.

By Mr. Parish: H. B. 172, S. B. 253, bill to prevent the felling of trees in the Yadkin river, recommending it do pass.

S. B. 267, bill for the relief of Robert M. Stafford, late sheriff of Guilford county, recommending the bill and pending amendments do pass.

By Mr. Eaves: S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77, recommending it do pass.

By Mr. Jones: S. R. 225, resolution for the relief of John McDaniel of Jones county, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed:

S. B. 102, bill to amend chapter 325, Laws of 1879, entitled "an act to provide a fund for the payment of jurors."

S. B. 110, bill to amend Battle's Revisal, chapter 17, section 43.

S. B. 27, bill to authorize the commissioners of Craven county to levy a special tax.

Mr. Merritt, from the joint select committee upon the Elec-

tion of Trustees for the University, submitted a report, which was placed upon the Calendar.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Scott of New Hanover: S. B. 302, bill to repeal section 32, chapter 105, Battle's Revisal. Referred to the committee on Salaries and Fees.

S. B. 303, bill to amend section 3, chapter 92, Laws of 1879. Referred to the committee on Salaries and Fees.

By Mr. Hanes: S. B. 304, bill to secure the better drainage of the low lands on Brushy Fork creek in the county of Davidson. Referred to the committee on Propositions and Grievances.

By Mr. Bernard: S. B. 305, bill to authorize the treasurer of Pitt county to settle with the sureties of Edward Wilson, late sheriff of said county. Referred to the committee on Finance.

By Mr. Williamson of Davie: S. R. 306, resolution of instruction to the joint committee on Printing. Placed upon the Calendar.

By Mr. Newland: S. B. 307, bill to incorporate Marion Camp Ground in Caldwell county. Referred to the committee on Corporations.

By Mr. Jenkins: S. B. 308, bill in relation to retailing spirituous liquors within three miles of Mountain Creek Baptist church in Granville county. Referred to the committee on Prohibition.

By Mr. Davidson: S. R. 309, resolution of instruction to the Keeper of the Capitol. Placed on the Calendar.

By Mr. Tucker: S. B. 310, bill to amend section 25, chapter 70, Laws of 1879. Referred to the committee on Finance.

By Mr. Eaves: S. B. 311, bill to give Rutherford two

weeks of Superior Court. Referred to the committee on Judiciary.

By Mr. Faison: S. B. 312, bill to amend section 9, chapter 71, Laws of 1879. Referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 138, S. B. 313, bill to furnish the Roxboro Railroad Company with convicts. Referred to the committee on Internal Improvements.

H. B. 283, S. B. 314, bill to authorize the commissioners of Clay county to levy a special tax. Referred to the committee on Finance.

H. B. 167, S. B. 315, bill to make the Dan river in Stokes county a lawful fence. Referred to the committee on Propositions and Grievances.

H. B. 296, S. B. 316, bill to protect partridges in the county of Wake. Referred to the committee on Judiciary.

H. B. 242, S. B. 317, bill to incorporate the Dan Valley and Yadkin River Narrow Gauge Railroad Company. Referred to the committee on Internal Improvements.

H. R. 46, S. R. 318, resolution asking a survey of Oregon Inlet, in Dare county, for buoying and staking off the same. Referred to the committee on Internal Improvements.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

Upon a suspension of the rules,

S. R. 309, resolution of instruction to the Keeper of the Capitol was taken up and adopted.

S. R. 306, resolution of instruction to the committee on

Printing was taken up, adopted, and ordered sent to the House of Representatives without engrossment.

H. B. 9, S. B. 147, bill to amend the law in regard to Finance committee was, on motion, laid on the table.

On motion of Mr. Merritt, the rules were suspended and the report of the joint select committee on election of Trustees for the University was taken up and read.

The committee recommended the following named gentlemen for Trustees for the University for the terms specified :

To fill unexpired terms caused by death :

Dr. D. T. Taylor, of Washington, vice General B. Grimes deceased ;

Hon. A. S. Merrimon of Wake, vice Rev. C. B. Hassell deceased ;

Dr. W. J. Hawkins of Wake, vice Hon. W. H. Battle deceased ;

Hon. C. M. Cooke of Franklin, vice Hon. John Kerr deceased ;

Hon. R. B. Vance of Buncombe, vice Col. R. L. Patterson deceased ;

C. W. Hollowell, Esq., of Pasquotank, vice Col. W. J. Martin deceased.

To fill vacancies to occur November 30th, 1881 :

Hon. J. J. Davis, of Franklin.

Hon. C. R. Thomas, of Craven.

Prof. J. DeB. Hooper, of Orange.

Col. J. N. Folk, of Caldwell.

Eugene Grissom, M. D. LL. D., of Wake.

Hon. C. M. Cooke, of Franklin.

Col. H. B. Short, of Columbus.

C. W. Hollowell, Esq., of Pasquotank.

Rev. J. L. Stewart, of Sampson.

Rev. Neill McKay, D. D., of Harnett.

Hon. H. F. Grainger, of Wayne.

Hon. W. L. Steele, of Richmond.

Col. S. McD. Tate, of Burke.

Hon. Lewis Hanes, of Davidson.

General R. B. Vance, of Buncombe.

Joseph Williams, Esq., of Yadkin.

For additional Trustees to fill terms beginning December 1st, 1881 :

Col. John D. Cameron, of Orange.

Judge George V. Strong, of Wake.

Mr. Merritt moved that the Senate proceed to elect Trustees, and that a message be sent to the House of Representatives notifying them of the purpose of the Senate, and that the above named gentlemen were in nomination. Adopted.

The President appointed Messrs. Merritt and Battle tellers on the part of the Senate to superintend the election.

A message was received from the House of Representatives announcing its readiness to go into an election for Trustees for the University, concurring in the nominations reported by the joint committee on Election of Trustees for the University, and naming as tellers on the part of the House to superintend the election, Messrs. Nicholson and Harrison.

The Senate proceeded to ballot as follows :

For the above named gentlemen, and for the terms specified,

Messrs. Battle, Blue, Burwell, Carr, Clarke, Cuninghame, Davidson, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Staples, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe and Wynne.

Mr. Hanes voted for all above specified except himself.

The Calendar was resumed.

S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway Company, on its third reading.

Mr. Staples moved the bill be re-committed to the committee on Corporations. Adopted.

Mr. Staples moved to take up and consider the motion made by him on yesterday to reconsider the vote by which H. B. 209, S. B. 235, bill to incorporate the North State Mining Company, passed its third reading on yesterday. Adopted.

On the motion to reconsider,

Mr. Staples demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 17, noes 15, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Cuninghame, Davidson, Dortch, Finger, Glenn, Hampton, Jones, Manning, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Staples, Tucker, Whitaker and York—17.

Those voting in the negative were

Messrs. Clarke, Dever, Faison, Foil, Hanes, Harper, Jenkins, Lockhart, Newland, Newsom, Richardson, Stowe, Williamson of Davie, Williamson of Edgecombe, and Wynne—15.

Question recurring upon passage of the bill its third reading,

On motion of Mr. Staples, it was re-committed to the committee on Corporations.

S. B. 270, bill to require the State Treasurer to sell certain bonds and apply the proceeds thereof to the common school fund was taken up on its second reading.

The substitute reported by the committee on Finance was adopted.

On motion, the bill was ordered printed, postponed until Thursday, 3d February, and made the special order for 12 o'clock M. of that day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives informing the Senate of the concurrence by that body in Senate amendment to

H. B. 74, S. B. 129, bill to amend chapter 49, Laws of 1879, and had ordered the same enrolled for ratification.

Also transmitting engrossed

H. R. 79, S. R. 319, resolution requesting the Attorney General's opinion in relation to a certain part of the school law.

On motion, the rules were suspended, and the resolution adopted.

S. B. 44, bill to appoint competent judges and inspectors of elections, was taken up on its second reading.

Mr. Davidson moved to amend: Strike out in section 2 the words "not less than five hundred dollars nor more than five thousand dollars, or imprisoned not less than one nor more than twelve months," and insert in lieu thereof, "fined or imprisoned, or both, at the discretion of the court." Accepted.

Mr. Glenn moved to lay the bill on the table, on which

Mr. Williamson of Edgecombe demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 19, noes 15, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Carr, Cuninghame, Dever, Dortch, Glenn, Hampton, Jones, Lockhart, Manning, Oates, Parish, Richardson, Staples, Stowe, Tucker, Whitaker and Williamson of Davie—19.

Those voting in the negative were

Messrs. Clarke, Davidson, Dickey, Eaves, Faison, Finger, Foil, Hanes, Harper, Newsom, Pridgen, Respass, Scott of New Hanover, Williamson of Edgecombe and Wynne—15.

S. B. 72, bill to require the registration of deeds, was taken up on its second reading.

On motion of Mr. Davidson, the bill was recommitted to the committee on Judiciary.

S. B. 94, bill to re-enact chapter 40, Revised Code, entitled "draining and damming low lands," was taken up, passed its several readings and was ordered engrossed.

S. R. 32, resolution to enquire into the official conduct of David Schenck, Judge, &c., at the late term of the Superior Court of Pamlico county, was,

On motion of Mr. Williamson of Edgecombe, laid on the table.

Mr. Glenn moved that Mr. Williamson of Edgecombe be allowed to record his vote on the motion to indefinitely postpone.

S. B. 246, bill imposing a tax of five hundred dollars on persons engaged in hiring or employing laborers to go beyond the limits of the State, which passed on yesterday.

The motion prevailed, and when the name of the Senator from Edgecombe was called, he asked to be recorded in the affirmative.

On motion, the Senate adjourned.

TWENTY-FIRST DAY.

SENATE CHAMBER, January 28th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Clarke until Monday, Messrs. Carter, Merritt and Stowe until Tuesday next.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Glenn : Petition from citizens of Forsythe county asking Prohibition. Referred to the committee on Prohibition.

By Mr. Harper : Petition from citizens of Johnston county asking that prohibition be submitted to the people for ratification or rejection. Referred to the committee on Prohibition.

By Mr. Merritt : Petition of sundry citizens of Chatham county asking for a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. York : H. B. 205, S. B. 282, bill to promote the growth of oysters in New river in Onslow county, recommending it do pass.

H. B. 259, S. B. 250, bill to make provisions of chapter 34, Act of 1880, apply to John's river in Caldwell county, recommending it do pass.

S. B. 178, bill to repeal chapter 105, Private Laws of 1876-'77, and chapter 24, Private Laws of 1879, recommending it do pass.

From the committee on Corporations:

By Mr. Hanes : S. B. 261, bill to incorporate Clarendon Council, No. 67, of the American Legion of Honor, recommending it do pass.

H. B. 183, S. B. 258, bill to incorporate the Star of Bladen Lodge, No. 1,967, United Order of Odd Fellows, recommending it do pass.

S. B. 199, bill to incorporate the Jonesboro High School,

reporting an amendment, and as amended, recommending it do pass.

S. B. 273, bill to incorporate the town of Cherryville, in Gaston county, recommending it do pass.

By Mr. Scott of Rockingham: H. B. 151, S. B. 263, bill to authorize the consolidation of the Atlantic Coast Railway and the Fayetteville and Florence Railroad Company, recommending it do pass.

By Mr. Harper: H. B. 91, S. B. 128, bill to amend and continue in force chapter 4, Laws of 1871-'72, recommending it do pass.

H. B. 249, S. B. 291 $\frac{1}{2}$, bill to extend the corporate limits of the town of Clayton in Johnston county, recommending it do pass.

By Mr. Lockhart: S. B. 229, bill to create a municipal official board for the respective counties of this State, recommending that it do not pass.

By Mr. Williamson of Edgecombe: S. B. 247, bill to incorporate the Clarendon Water-works Company, recommending it do pass.

By Mr. Faison: H. B. 58, S. B. 130, bill to incorporate the town of Saluda, in the county of Polk, recommending it do pass.

From the committee on Judiciary:

By Mr. Glenn: S. B. 223, bill to allow the people of Northampton and Bertie counties to elect their own magistrates and county commissioners, recommending it do not pass.

From the committee on Finance:

By Mr. Richardson: H. B. 73, S. B. 291, bill to authorize the sheriff of Polk county to take up jury tickets for taxes, recommending it do not pass.

H. B. 232, S. B. 292, bill to allow the commissioners of Henderson county to levy a special tax, recommending it do pass.

By Mr. Burwell: H. B. 125, S. B. 119, bill for the relief of

the sheriff of Warren county, reporting a substitute, and recommending the substitute do pass.

From the committee on Internal Improvements :

By Mr. Lockhart: H. B. 120, S. B. 234, bill to incorporate the Fayetteville and Winston Railway Company, recommending it do pass.

By Mr. Burwell: H. B. 80, S. B. 299, bill to charter the Roxboro Railroad Company, reporting an amendment, and as amended recommending it do pass.

From the committee on Engrossed Bills :

By Mr. Hanes: S. B. 94, bill to re-enact chapter 40 of the Revised Code, entitled "draining and damming low lands."

Senate substitute for H. B. 125, S. B. 119, bill for the relief of the sheriff of Warren county.

Senate amendment for H. B. 80, S. B. 299, bill to charter the Roxboro Railroad Company.

From committee of Tellers to superintend election of Trustees for the University :

Mr. Merritt, of Tellers to superintend election of Trustees, reported that for Trustees to fill term beginning December 1st, 1881,

J. J. Davis	received	115	votes.
C. R. Thomas	"	111	"
N. H. D. Wilson	"	78	"
G. N. Folk	"	115	"
Eugene Grissom	"	119	"
C. M. Cooke,	"	118	"
H. B. Short	"	115	"
C. W. Hollowell	"	114	"
J. L. Stewart	"	115	"
Neill McKay	"	115	"
W. L. Steele	"	115	"
H. F. Grainger	"	115	"
S. McD. Tate	"	115	"
Lewis Hanes	"	114	"

R. B. Vance	received	.....	114	votes.
Joseph Williams	"	.....	115	"

For additional Trustees :

John D. Cameron	received	.....	115	votes.
George V. Strong	"	.....	115	"

To fill vacancies caused by death :

D. T. Tayloe,	<i>vice</i> Grimes,	received	.....	115	votes
A. S. Merrimon,	" Hassell,	"	.....	113	"
W. J. Hawkins,	" Battle,	"	.....	111	"
C. M. Cooke,	" Kerr,	"	.....	118	"
R. B. Vance,	" Patterson,	"	.....	114	"
C. W. Hollowell,	" Martin,	"	.....	114	"

Whereupon the above named gentlemen were declared duly elected Trustees for the University for the terms specified.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Glenn : S. B. 320, bill to punish persons failing to list their poll and property for taxation. Referred to the committee on Judiciary.

By Mr. York : S. R. 321, resolution to authorize the chairman of the joint committee on Insane Asylum to appoint sub-committee to visit the several Insane Asylums of the State. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

On motion of Mr. York, the rules were suspended, and S. R. 321, resolution to authorize the chairman of the joint committee on Insane Asylums to appoint sub-committee to visit the several Insane Asylums of the State, was

taken up, adopted, and ordered transmitted to the House of Representatives without engrossment.

Mr. Bernard moved that

S. B. 305, bill to authorize the Treasurer of Pitt county to settle with the sureties of Edward Wilson, late sheriff of said county, referred to the committee on Finance on yesterday, be recalled, and the bill placed on the Calendar. It was so ordered.

On motion of Mr. Cuninghame, the rules were suspended, and

H. B. 80, S. B. 299, bill to charter the Roxboro Railroad Company, was taken up on its second reading.

The amendment reported by the committee on Corporations was adopted.

Bill then passed its second and third readings, and the amendment was ordered engrossed.

On motion of Mr. Richardson, the rules were suspended, and

H. B. 125, S. B. 119, bill for the relief of the sheriff of Warren county, was taken up on its second reading.

The substitute reported by the committee on Finance was adopted.

Bill then passed its several readings, and the substitute was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills. Referred to the committee on Corporations.

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company. Referred to the committee on Corporations.

H. B. 184, S. B. 324, bill to amend chapter 41, Private

Laws of 1879, in reference to the Good Samaritans. Referred to the committee on Corporations.

The Calendar was resumed.

S. B. 88, bill to insure the annual registration of vital statistics, on its second reading and passed.

On motion, the bill was put upon its third reading.

Mr. York moved to amend: Strike out in section three, "Secretary of State Board of Health." Lost.

On passage of bill, its third reading,

Mr. Stowe demanded the ayes and noes, which were ordered, and the bill passed, ayes 20, noes 19, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Clarke, Cuningham, Davidson, Faison, Glenn, Gudger, Hanes, Jones, Merritt, Oates, Parish, Respass, Richardson, Scott of New Hanover, Spears, Staples, Tucker and Williamson of Edgecombe—20.

Those voting in the negative were

Messrs. Blue, Burwell, Carr, Dever, Dickey, Hampton, Harper, Jenkins, King, Lockhart, Mebane, Newland, Newsom, Pridgen, Scott of Rockingham, Stowe, Whitaker, Wynne and York—19.

S. B. 136, bill to amend an act to establish county governments, ratified the 27th day of February, 1877 was, on motion, laid on the table.

S. B. 138, bill to re-assess property in certain townships in Rutherford county was, on motion, laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment,

H. R. 84, S. R. 325, resolution of enquiry to the Supreme Court. Placed upon the Calendar.

The Calendar was resumed.

S. B. 143, bill to amend chapter 53, Battle's Revisal, passed its several readings and was ordered engrossed.

H. B. 151, S. B. 263, bill to authorize the consolidation of the Atlantic Coast Railway and the Fayetteville and Florence Railroad Company, passed its several readings and was ordered enrolled.

S. B. 156, bill to re-enact section 1, chapter 108, Battle's Revisal, entitled "statutes, repeal and construction of—," passed its several readings and was ordered engrossed.

H. B. 66, S. B. 158, bill to prevent cruelty to animals, passed its second reading.

On motion, the bill was put upon its third reading.

On the passage of the bill its third reading,

Mr. Stowe demanded the ayes and noes, which were ordered, and the bill passed, ayes 25, noes 14, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cunningham, Davidson, Dickey, Dortch, Glenn, Gudger, Hanes, Jones, King, Lockhart, Mebane, Merritt, Parish, Respass, Spears, Staples, Tucker, Whitaker and Williamson of Edgecombe—25.

Those voting in the negative were

Messrs. Dever, Eaves, Harper, Jenkins, Newland, Newsom, Oates, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Wynne and York—14.

H. B. 120, S. B. 234, bill to incorporate the Fayetteville and Winston Railway Company, passed its several readings and was ordered enrolled.

H. B. 62, S. B. 160, bill to repeal so much of chapter 194, sections 1, 2 and 3, Laws of 1876-'77, as applies to Davidson and Guilford counties was, on motion, laid on the table.

H. R. 45, S. R. 209, resolution authorizing the State Treasurer to refund a sum of money unlawfully collected from Hooper Brother and Thomas, passed its several readings and was ordered enrolled.

S. B. 178, bill to repeal chapter 105, Private Laws of 1876-'77, and chapter 24, Private Laws of 1879, on its second reading.

Mr. Respass moved the bill be recommitted.

Mr. Williamson of Edgecombe moved the bill be laid on the table, which prevailed.

On motion of Mr. Mebane, the Senate adjourned.

TWENTY-SECOND DAY.

SENATE CHAMBER, January 29th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was approved.

Leave of absence was granted Messrs. Faison, Parish and Scott of New Hanover until Tuesday next, Messrs. Battle and Burwell until Wednesday, Mr. Staples until Thursday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Scott of New Hanover: Petition of citizens of New Hanover for the abolishment of the criminal court. Referred to the committee on Judiciary.

By Mr. Tucker: Petition from certain citizens of Iredell county, asking that the sale of spirituous liquors be prohibited within three miles of Bethesda church in said county. Referred to the committee on Prohibition.

By Mr. Davidson: Petition of Ebenezer Baptist church, Buncombe county, praying for a prohibitory law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Education :

By Mr. Harper : S. B. 275, bill to prevent the sale of spirituous liquors within three miles of Shiloh Academy in the county of Davidson, and for other purposes, recommending it do pass.

From the committee on Salaries and Fees :

By Mr. Oates : S. B. 302, bill to repeal section 32, chapter 105, Battle's Revisal, recommending it do not pass.

S. B. 303, bill to amend section 3, chapter 92, Laws of 1879, recommending it do not pass.

From the committee on Propositions and Grievances :

By Mr. Glenn : H. B. 34, S. B. 256, bill to repeal an act relating to roads and highways in the counties of Stokes, Mecklenburg and Forsythe, reporting an amendment, and as amended recommending it do pass.

From the committee on Employees of the General Assembly :

By Mr. York : S. R. 265, resolution for the benefit of the assistants to the Principal Clerks of the General Assembly, recommending it do pass.

From the committee on Internal Improvements :

By Mr. Richardson : H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railway Company, &c., recommending it do pass.

By Mr. Staples : H. B. 138, S. B. 313, bill to furnish the Roxboro Railroad Company with convicts, recommending it do pass.

By Mr. Dickey : H. R. 46, S. R. 318, resolution asking a survey of Oregon Inlet in Dare county, and for bouying and staking off the same, recommending it do pass.

From the committee on Finance :

By Mr. Richardson : H. B. 283, S. B. 314, bill to authorize the commissioners of Clay county to levy a special tax, recommending it do pass.

Report of committee on Enrolled Bills:

By Mr. Scott of Rockingham, as correctly enrolled,

S. B. 263, H. B. 151, an act to authorize the consolidation of the Atlantic Coast Railway and the Fayetteville and Florence Railroad Company.

S. R. 82, H. R. 42, resolution of thanks to W. H. Vanderbilt.

S. B. 135, H. B. 193, an act to amend sections 17 and 18, chapter 97, Battle's Revisal.

H. B. 116, S. B. 205, an act for the relief of Thomas S. Worley, late sheriff of Jones county.

H. B. 222, S. B. 208, an act to amend chapter 34 of Acts of the Special Session of 1880.

S. B. 106, H. B. 266, an act to empower the commissioners of Chowan county to pay school orders issued prior to December 1st, 1878.

H. B. 29, S. B. 206, an act to define the weight of cotton seed in this State.

H. B. 286, S. B. 264, an act to provide for the erection of a hospital in the city of Wilmington.

S. B. 8, H. B. 189, an act to amend chapter 32, section 33, of Battle's Revisal.

H. B. 1, S. B. 159, an act to prohibit the obstruction of the water in Little river.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. King: S. B. 326, bill to provide for summoning witnesses from other counties on trials before justices of the peace. Referred to the committee on Judiciary.

By Mr. Tucker: S. B. 327, bill to repeal chapter 158, Laws of 1874-'75. Referred to the committee on Prohibition.

By Mr. Davidson: S. B. 328, bill to encourage immigration. Referred to the committee on Immigration and Manufacturing Interests.

By Mr. Bernard: S. B. 329, bill to allow the county com-

missioners of Pitt county to appoint two cotton weighers for the town of Greenville. Placed upon the Calendar.

By Mr. Hanes: S. B. 330, bill to incorporate Shiloh Academy in the county of Davidson. Referred to the committee on Corporations.

By Mr. Williamson of Edgecombe: S. B. 331, bill to prevent attorneys at law from practicing in courts in which their law partners hold the position of Judge or Justice. Referred to the committee on Judiciary.

By Mr. Dortch: S. B. 332, bill concerning inspection and inspectors in the city of Wilmington. Referred to the committee on Propositions and Grievances.

By Mr. Parish: S. B. 333, bill to reduce the price of the Laws and Supreme Court Reports. Referred to the committee on Judiciary.

By Mr. Jenkins: S. B. 334, bill concerning evidence in bastardy cases. Referred to the committee on Judiciary.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 31, bill to remove suits and other proceedings from clerks who are interested therein or related to the parties, was, on motion, laid on the table.

S. B. 68, bill to prevent fraud and forgery, was, on motion, laid on the table.

H. B. 91, S. B. 128, bill to amend and continue in force chapter 4, Laws of 1871-'72, passed its several readings and was ordered enrolled.

H. B. 58, S. B. 130, bill to incorporate the town of Saluda in the county of Polk, passed its several readings and was ordered enrolled.

S. B. 137, bill for the protection of the proprietors of livery and other stables, was, on motion, laid on the table.

S. B. 139, bill to amend chapter 132, Laws of 1879, concerning divorce, was, on motion, laid on the table.

S. B. 173, bill to regulate the mode of enforcing judgments rendered in the Supreme Court of North Carolina, passed its several readings and was ordered engrossed.

S. B. 174, bill to prevent attorneys or counsellors at law from becoming surety, was, on motion, laid on the table.

S. B. 177, bill to amend chapter 92, section 2, Laws of 1879, to limit the powers of magistrates in peace warrants, was, on motion, laid on the table.

S. B. 192, bill to extend the jurisdiction of justices of the peace, on its second reading.

Mr. Blue moved to lay the bill upon the table, on which Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 27, noes 9, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuninghame, Davidson, Dever, Dickey, Dortch, Faison, Finger, Glenn, Hampton, Harper, Jones, King, Lockhart, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Staples, Tucker, Whitaker and York—27.

Those voting in the negative were

Messrs. Eaves, Hanes, Jenkins, Newsom, Pridgen, Scott of New Hanover, Spears, Williamson of Edgecombe and Wynne—9.

S. B. 193, bill to repeal sections 4 and 5, chapter 264, Laws 1879, was, on motion, laid on the table.

H. B. 138, S. B. 313, bill to furnish the Roxboro Railroad Company with convicts, passed its several readings and was ordered enrolled.

S. B. 217, bill to incorporate the Fulton Fire Company of Tarboro, North Carolina, passed its several readings and was ordered engrossed.

H. B. 136, S. B. 203, bill to amend section 2, chapter 194,

Laws of 1879, passed its several readings and was ordered enrolled.

S. B. 218, bill to incorporate Tarboro Lodge, No. 1,821, G. U. Order of Odd Fellows, (colored,) passed its several readings and was ordered engrossed.

S. B. 223, bill to allow the people of Northampton and Bertie counties to elect their own magistrates and county commissioners, was, on motion, laid on the table.

S. B. 224, bill to authorize the Northwestern North Carolina Railroad to extend its road and to build branches thereof, on its second reading.

Mr. Scott of New Hanover moved the bill be postponed until Thursday next. Lost.

Bill then passed its second reading, ayes 26, noes . . . , as follows :

Those voting in the affirmative were :

Messrs. Bernard, Burwell, Carr, Cuningham, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Hanes, Harper, Jenkins, Jones, King, Lockhart, Mebane, Newland, Oates, Pridgen, Richardson, Scott of New Hanover, Spears, Staples, Tucker and York—26.

S. R. 265, resolution for the benefit of assistants to the principal clerks of the General Assembly, passed its several readings and was ordered engrossed.

S. R. 225, resolution for the relief of John McDaniel of Jones county, passed its several readings and was ordered engrossed.

S. B. 230, bill to amend chapter 235, sections 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, section 17, in relation to the distribution of the public laws, passed its several readings and was ordered engrossed.

S. B. 239, bill to amend chapter 189, Laws of 1879, and regulate the sale of fish, passed its several readings and was ordered engrossed.

H. B. 259, S. B. 250, bill to make the provisions of chap-

ter 34, Acts of 1880, apply to John's river in Caldwell county, passed its several readings and was ordered enrolled.

H. B. 188, S. B. 251, bill to amend chapter 260, Laws of 1879, passed its several readings and was ordered enrolled.

H. B. 172, S. B. 253, bill to prevent the felling of trees in the Yadkin river, passed its several readings and was ordered enrolled.

H. B. 186, S. B. 257, bill to prevent obstruction to the free passage of water in Irish Buffalo creek in Cabarrus county, passed its several readings and was ordered enrolled.

H. B. 183, S. B. 258, bill to incorporate the Star of Bladen Lodge No. 1,967, United Order of Odd Fellows, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that body in Senate amendments to

H. B. 80, S. B. 299, bill to charter the Roxboro Railroad Company ;

Also, had passed Senate substitute for

H. B. 125, S. B. 119, bill for the relief of the sheriff of Warren county,

And had ordered the same enrolled for ratification.

Also, transmitting engrossed

H. B. 233, S. B. 335, bill to give the county commissioners of Pasquotank county the power to levy a special tax. Referred to the committee on Finance.

H. R. 86, S. R. 336, resolution to raise a joint committee to take into consideration the subject of raising a monument to the late Richard Caswell. Referred to the committee on Finance.

COMMUNICATION FROM THE SECRETARY OF STATE.

The President laid before the Senate a communication

from the Honorable Secretary of State, transmitting a statement from General F. A. Walker, Superintendent of Census, of the population of the several counties of the State, as obtained by the late census.

On motion of Mr. Dortch, five hundred copies of the table were ordered printed for the use of the General Assembly.

A message was received from the House of Representatives transmitting a communication from His Excellency the Governor, with the report of Hon. Kemp P. Battle, President of the University, to the Board of Trustees of that Institution, proposing to print the same. The proposition to print was concurred in.

On motion, the Senate adjourned.

TWENTY-THIRD DAY.

SENATE CHAMBER, January 31st, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Cuninghame: Petition from citizens of Person county, asking prohibition of sale of liquor within two miles of certain churches in Person county. Referred to the committee on Prohibition.

By Mr. York: Petition of citizens of Wilkes county, asking the passage of a bill regulating the fees of sheriffs. Referred to the committee on Finance.

By Mr. Tucker: Petition of citizens of Iredell county, asking the appointment of certain Justices of the Peace. Referred to the joint committee on Justices of the Peace.

By Mr. Bernard: Petition to regulate fishing in the waters of Pamlico and Tar rivers. Referred to the committee on Fish and Fisheries.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Prohibition:

By Mr. Tucker: S. B. 327, bill to repeal chapter 158, Acts of 1874-'75, recommending it do pass.

From the joint select committee on Heating the Capitol:

Mr. Williamson of Edgecombe submitted a report, which was placed upon the Calendar.

COMMUNICATION FROM THE KEEPER OF THE CAPITOL.

The President laid before the Senate a communication from the Keeper of the Capitol, which was read and placed on the Calendar.

Mr. Glenn moved to reconsider the vote by which

S. B. 230, bill to amend chap. 235, sections 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, section 17, in relation to the distribution of the public laws, passed its third reading on Saturday, which prevailed.

Question recurring upon the passage of the bill its third reading,

Mr. Glenn offered a substitute for the bill, which was adopted.

Bill then passed its third reading, and was ordered engrossed.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

H. B. 34, S. B. 256, bill to repeal an act relating to roads and highways in the counties of Stokes, Mecklenburg and Forsythe, on its second reading.

The amendment reported by the committee on Propositions and Grievances was adopted.

Bill then passed its several readings and the amendment was ordered engrossed.

S. B. 262, bill to allow A. M. Church, sheriff of Wilkes county, to collect arrears of taxes for the years 1879 and 1880, was, on motion, laid on the table.

S. B. 267, bill for the relief of Robert M. Stafford, late sheriff of Guilford county, on its second reading.

Amendments reported by the committee on Propositions and Grievances were adopted.

Mr. Cuninghame moved to amend :

“Insert the names of R. A. Williams and Joseph Painter, Jr., executors of Joseph Painter, Sr., late sheriff of Person county.” Adopted.

Mr. Hampton moved to amend :

“Insert the name of Samuel H. Taylor, sheriff of Surry county.” Adopted.

Bill then passed its several readings and was ordered engrossed.

S. B. 273, bill to incorporate the town of Cherryville in Gaston county, passed its second reading, ayes 26, noes 1, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuninghame, Davidson, Dever, Dickey,

Eaves, Finger, Glenn, Gudger, Hampton, Hanes, Harris, Jenkins, Jones, Lockhart, Newland, Newsom, Oates, Pridgen, Respass, Scott of Rockingham, Spears, Tucker, Whitaker, Wynne and York—26.

Mr. King voted in the negative.

By consent,

Mr. Bernard introduced

S. B. 337, bill to regulate fishing in the waters of Pamlico and Tar rivers. Referred to the committee on Fish and Fisheries.

Mr. Finger introduced

S. B. 338, bill to amend chapter 84, Laws of 1858-'59, relative to the charter of Catawba College. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 230, S. B. 339, bill to incorporate the town of Norwood in the county of Stanly. Referred to the committee on Corporations.

H. B. 204, S. B. 340, bill to make Hyco river a lawful fence. Referred to the committee on Propositions and Grievances.

H. B. 217, S. B. 341, bill to incorporate the trustees of Mt. Pleasant Camp Ground, and to prohibit the sale of liquor thereon. Referred to the committee on Corporations.

H. B. 325, S. B. 342, bill to establish the dividing lines between the counties of Jones, Craven and Lenoir. Referred to the committee on Propositions and Grievances.

H. B. 328, S. B. 343, bill to amend an act concerning the appointment of trustees for Franklin Academy. Referred to the committee on Corporations.

H. B. 165, S. B. 344, bill to authorize the commissioners

of Lincoln county to condemn lands for fence-ways. Referred to the committee on Judiciary.

H. B. 369, S. B. 345, bill to prevent the felling of trees and fishing with hand-seine in Falling creek in Wayne county. Referred to the committee on Fish and Fisheries.

H. R. 78, S. R. 346, resolution in favor of the trustees of Franklin Camp Ground in Macon county. Referred to the committee on Corporations.

Mr. Scott of Rockingham reported as correctly enrolled, S. B. 168, H. B. 320, bill to protect the fish interests of North Carolina, chapter 34, Laws of 1880;

S. B. 107, H. B. 235, bill to authorize the commissioners of Chowan county to levy a special tax;

S. B. 56, H. B. 264, bill to appoint cotton weighers for the towns of Enfield and Weldon;

S. B. 46, H. B. 353, bill to require the better drainage of the low lands in Second Broad river in Rutherford county;

H. B. 74, S. B. 129, bill to amend chapter 49, section 6, Private Laws of 1879;

S. R. 33, H. R. 21, resolution of instruction to our Senators and Representatives in the Congress of the United States in relation to the educational fund;

S. B. 166, H. B. 318, bill to declare Queen Anne's creek in Chowan county a lawful fence;

S. R. 201, H. R. 76, a resolution in regard to the repeal of tax on brandy distilled from fruit;

S. B. 132, H. B. 52, bill to prevent the destruction of fish in Nantahala river and its tributaries;

S. B. 5, H. B. 333, bill authorizing the treasurer of Johnston county to pay certain school claims;

S. B. 123, H. B. 265, bill to allow James C. Anderson, tax collector of the town of Statesville in the county of Iredell, to collect arrears of taxes;

All of which were duly ratified and sent to the office of Secretary of State.

Mr. Scott of Rockingham reported as properly engrossed :
S. R. 265, resolution for the benefit of the Assistants to the
Principal Clerks of the General Assembly.

The Calendar was resumed.

S. B. 275, bill to prevent the sale of spirituous liquors
within three miles of Shiloh Academy in the county of Da-
vidson and for other purposes, passed its several readings
and was ordered engrossed.

S. B. 280, bill to amend section 1, chapter 260, Laws of
1876-'77, passed its second reading.

H. B. 171, S. B. 281, bill to prevent the felling of timber
in the water courses in Cabarrus county, passed its several
readings and was ordered enrolled.

H. B. 205, S. B. 282, bill to promote the growth of oysters
in New river in Onslow county, passed its several readings
and was ordered enrolled.

H. B. 10, S. B. 285, bill to amend section 3, chapter 135,
Laws of 1879, passed its several readings and was ordered
enrolled.

H. B. 73, S. B. 291, bill to authorize the sheriff of Polk
county to take up jury tickets for taxes, was, on motion, laid
on the table.

H. B. 249, S. B. 291½, bill to extend the corporate limits
of the town of Clayton, in Johnston county, passed its sever-
al readings and was ordered enrolled.

H. B. 232, S. B. 292, bill to allow the commissioners of
Henderson county to levy a special tax, passed its second
reading, ayes 27, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dever, Dickey,
Eaves, Finger, Glenn, Gudger, Hampton, Harris, Jenkins,
Jones, King, Lockhart, Newland, Newsom, Oates, Pridgen,
Respass, Scott of Rockingham, Spears, Tucker, Whitaker,
Williamson of Edgecombe, Wynne and York—27.

H. B. 247, S. B. 294, bill to prevent the felling of trees

and brush in Dally's Gut and Green's Thoroughfare was, on motion, laid on the table.

H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railway Company, &c., on its second reading.

Mr. Finger moved to amend: Strike out in section 9, the word "ranking," and insert in lieu thereof the word "banking." Adopted.

Mr. Finger moved to amend: add after the word "millions" at the end of section 2, the words "of dollars." Adopted.

Bill then passed its second reading.

By consent,

Mr. Bernard introduced

S. B. 347, bill to provide for the erection of a Supreme Court and Library building and Governor's Mansion. Referred to the committee on Public Buildings and Grounds.

On motion, Senate adjourned.

TWENTY-FOURTH DAY.

SENATE CHAMBER, February 1st, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Leave of absence heretofore granted Mr. Battle was extended until to-morrow; to Mr. Blue until to-morrow.

Mr. Tomlinson, Engrossing Clerk of the Senate, was announced absent on account of sickness.

Mr. McMillan, Senator elect from the 35th district, was announced detained at home on account of sickness.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. York: H. B. 309, S. B. 297, bill to protect fish in the waters of Tyrrell county, recommending it do pass.

S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina, and to regulate the catching of the same, recommending it do pass.

S. B. 145, bill to prohibit the use of Pod or Dutch nets in the waters of the Neuse and Trent rivers and their tributaries, reporting an amendment, and as amended recommending it do pass.

From the committee on Judiciary:

By Mr. Lockhart: S. B. 194, bill to protect clients against fraudulent attorneys, reporting amendments, and as amended recommending it do pass.

S. B. 212, bill to repeal section 4, chapter 216, Laws of 1870-'71, recommending it do not pass.

By Mr. Glenn: S. B. 331, bill to prevent attorneys at law from practicing in those courts in which their law partners hold the position of judge or justice, recommending it do not pass.

By Mr. Whitaker: S. B. 221, bill to amend section 40, chapter 45, Battle's Revisal, recommending it do not pass.

By Mr. Tucker: H. B. 118, S. B. 247½, bill to amend chapter 8, Laws of Special Session of 1880, recommending it do pass.

From the committee on Corporations:

By Mr. Hanes: S. B. 307, bill to incorporate Marvin Camp Ground in Caldwell county, recommending it do pass.

By Mr. Scott of Rockingham: S. B. 288, bill to amend the charter of the town of Winston, recommending it do pass.

By Mr. Harper: H. B. 278, S. B. 293, bill to incorporate

Tucker Grove Camp Ground in Lincoln county, recommending it do pass.

By Mr. Lockhart: H. B. 90, S. B. 114, bill to incorporate Concordia College, reporting an amendment, and as amended recommending it do pass.

From the committee on Internal Improvements:

By Mr. Lockhart: S. R. 7, resolution to provide for a commission to investigate the matter of the sale and transfer of the Western North Carolina Railroad, recommending it do not pass.

From the committee on State Debt:

By Mr. Finger: S. B. 101, bill to carry into effect an act to adjust and renew a portion of the State debt, ratified the 14th day of March, 1879, recommending it do not pass.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed,

S. B. 88, bill to secure the annual registration of vital statistics ;

S. B. 173, bill to regulate the mode of enforcing judgments rendered in the Supreme Court of North Carolina ;

S. R. 225, resolution for the relief of John McDaniel of Jones county ;

S. B. 239, bill to amend chapter 189, Laws of 1879, and regulate the sale of fish ;

S. B. 218, bill to incorporate Tarboro Lodge, No. 1,821, G. U. Order of Odd Fellows, (colored) ;

S. B. 217, bill to incorporate the Fulton Fire Company of Tarboro, N. C. ;

S. B. 156, bill to re-enact section 1, chapter 108 of Battle's Revisal, and construction of ;

S. B. 143, bill to amend chapter 53 of Battle's Revisal.

From the committee on Enrolled Bills :

By Mr. Scott of Rockingham, as correctly enrolled,

S. B. 158, H. B. 66, bill to prevent cruelty to animals ;

S. B. 195, H. B. 352, bill to authorize the Board of Commissioners of Onslow county to levy a special tax ;

H. B. 188, S. B. 251, bill to amend chapter 260, Laws of 1879 ;

H. B. 91, S. B. 128, bill to amend and continue in force chapter 4, of the Private Laws of 1871-'72, ratified 8th December, 1871 ;

S. R. 265, H. R. 201, resolution for the benefit of Assistants to Principal Clerks of the General Assembly ;

H. B. 136, S. B. 213, bill to amend section 2, chapter 194, of the Laws of 1879 ;

H. B. 58, S. B. 130, bill to incorporate the town of Saluda in the county of Polk ;

H. B. 138, S. B. 313, bill to assign convicts to Roxboro Railroad Company ;

H. B. 172, S. B. 253, bill to prevent the felling of trees in Yadkin river ;

H. B. 186, S. B. 257, bill to prevent obstruction to the free passage of water in Irish Buffalo creek from the head of Barnhardt and Foard's mill pond in Cabarrus county to the widow Stirewalt's mill in Rowan county ;

H. B. 259, S. B. 250, bill to make the provisions of chapter 34, Acts of 1880, apply to John's river in Cadwell county ;

H. B. 125, S. B. 119, bill for the relief of the sheriff of Warren county ;

All of which were duly ratified and sent to the office of the Secretary of State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Dortch : S. B. 348, bill to incorporate the Eastern North Carolina Insane Asylum. Referred to the committee on Insane Asylum, and ordered printed.

S. B. 349, bill in regard to costs in criminal proceedings. Referred to the committee on Judiciary.

By Mr. Scott of Rockingham : S. B. 350, bill for the re-

lief of certain disabled Confederate soldiers. Referred to the committee on Propositions and Grievances.

By Mr. Glenn: S. B. 351, bill to provide for additional servants for the various State departments. Referred to the committee on Propositions and Grievances.

By Mr. Dickey: S. B. 352, bill to incorporate Cowee Baptist church in Macon county. Referred to the committee on Corporations.

By Mr. Tucker: S. B. 353, bill to amend chapter 127, Laws of 1879. Referred to the committee on Propositions and Grievances.

By Mr. Dickey: S. B. 354, bill to incorporate Hanging-dog Baptist church in Cherokee county. Referred to the committee on Corporations.

By Mr. Scott of Rockingham: S. R. 355, resolution to require every railroad bill to be printed for the use of members immediately after its first reading. Placed on the Calendar.

CALENDAR:

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 273, bill to incorporate the town of Cherryville in the county of Gaston, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Dever, Dickey, Dortch, Eaves, Finger, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Lockhart, Mebane, Merritt, Newland, Newsom, Oates, Pridgen, Respass, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Whitaker, Wynne and York—30.

On motion of Mr. Scott of Rockingham, the rules were suspended, and

S. R. 355, resolution to require every railroad bill to be

printed for the use of members immediately after its first reading, was taken up.

The resolution failed to pass its second reading.

H. B. 232, S. B. 292, bill to allow the commissioners of Henderson county to levy a special tax, passed its third reading, ayes 29, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Mebane, Merritt, Newland, Newsom, Oates, Pridgen, Respass, Scott of New Hanover, Scott of Rockingham, Tucker, Wynne and York—29.

Those voting in the negative were

Messrs. Hanes and Spears—2.

S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77, on its third reading.

Mr. Merritt moved to lay the bill on the table, on which

Mr. Eaves demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 8, noes 18, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dickey, Dortch, Harper, Mebane and Merritt—8.

Those voting in the negative were

Messrs. Dever, Eaves, Finger, Hampton, Hanes, Harris, Jenkins, King, Newland, Newsom, Pridgen, Respass, Scott of New Hanover, Spears, Stowe, Williamson of Edgecombe, Wynne and York—18.

Bill then passed its third reading, and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 338, S. B. 355½, bill to authorize the commissioners of Graham county to levy a special tax. Referred to the committee on Finance.

H. B. 337, S. B. 356, bill to authorize the commissioners of Wilkes county to levy a special tax. Referred to the committee on Finance.

H. B. 341, S. B. 357, bill to amend the charter of the town of Carthage. Referred to the committee on Corporations.

Also, transmitting a communication from his Excellency, Governor Jarvis, with a correspondence between himself and the Governor of South Carolina, relative to the boundary line between the two States, proposing to print the same.

The proposition to print was concurred in.

Also, a message transmitting the opinion of the Attorney General in response to a resolution of the Assembly, upon certain clauses in the Public Laws, proposing that the same be printed.

The proposition to print was concurred in.

The Calendar was resumed.

H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railway Company, passed its third reading, and the amendments were ordered engrossed.

S. B. 98, bill to allow defendants in certain criminal actions to become witnesses for themselves, on its second reading.

Mr. Dortch moved to amend :

Insert as section 2: "That on the trial of the actions named in section 1, the wife of the defendant shall be a competent witness for defendant."

Mr. Davidson offered a substitute for the bill.

Pending the consideration of the bill,

On motion, the Senate adjourned.

TWENTY-FIFTH DAY.

SENATE CHAMBER, February 2d, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Richardson: Petition of certain officers and members of State Guard in Robeson county, asking to be exempt from road and jury duty. Referred to the committee on Military Affairs.

By Mr. Tucker: Petition of certain citizens of Iredell county, asking that no prohibitory liquor law be passed. Referred to the committee on Prohibition.

By Mr. Parish: Petition of Josiah Turner. Referred to the committee on Propositions and Grievances.

By Mr. Spears: Petition of certain citizens of Richmond county in relation to fees of sheriffs. Referred to the committee on Salaries and Fees.

Petition of certain citizens of Montgomery county in relation to fees of sheriffs. Referred to the committee on Salaries and Fees.

By Mr. Carr: Petitions from citizens of Randolph county, asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Corporations:

By Mr. Hanes: S. B. 354, bill to incorporate Hanging-

dog Baptist Church in Cherokee county, recommending it do pass.

H. R. 78, S. R. 346, resolution in favor of the Trustees of Franklin Camp Ground in Macon county, recommending it do pass.

By Mr. Harper: S. B. 338, bill to amend chapter 84, Laws of 1858-'59, relative to the charter of Catawba College, recommending it do pass.

S. B. 330, bill to incorporate Shiloh Academy in the county of Davidson, recommending it do pass.

By Mr. Lockhart: H. B. 209, S. B. 235, bill to incorporate the North State Mining Company, reporting amendments, and as amended recommending it do pass.

S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway Company, reporting an amendment, and as amended recommending it do pass.

By Mr. Scott of Rockingham: H. B. 217, S. B. 341, bill to incorporate the Trustees of Mount Pleasant Camp Ground, and to prohibit the sale of liquor thereon, recommending it do pass.

H. B. 328, S. B. 343, bill to amend an act concerning the appointment of Trustees for Franklin Academy, recommending it do pass.

S. B. 352, bill to incorporate Cowee Baptist Church in Macon county, recommending it do pass.

From the committee on Fish and Fisheries:

By Mr. York: S. B. 337, bill to regulate fishing in the waters of Pamlico and Tar rivers, recommending it do pass.

From the committee on Public Library:

By Mr. Merritt: S. B. 104, bill to authorize the Trustees of the Public Library to publish certain public records, &c., for the use of the Library, recommending it do pass.

S. R. 277, resolution to provide a roster of North Carolina troops engaged in the late war, reporting a substitute, and recommending the substitute do pass.

From the committee on Internal Improvements :

By Mr. Burwell: H. B. 242, S. B. 317, bill to incorporate the Dan Valley and Yadkin River Narrow Gauge Railroad Company, recommending it do pass.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 185, S. B. 358, bill for the relief of school districts numbers 10 and 12 of New Salem township, Union county. Referred to the committee on Education.

H. B. 245, S. B. 359, bill to incorporate the town of Rutherford College, and to repeal chapter 32, Private Laws of 1871-'72. Referred to the committee on Corporations.

H. B. 18, S. B. 360, bill for the more speedy and effectual execution of criminal process. Referred to the committee on Judiciary.

H. B. 27, S. B. 361, bill to authorize the employment of convict labor on the highways and streets in counties, cities and towns in this State. Referred to the committee on Penal Institutions.

H. B. 207, S. B. 362, bill to amend chapter 30, Laws of 1880, entitled an act to amend chapter 82, Laws of 1879, entitled an act to provide for keeping in repair the public roads of the State. Referred to the committee on Internal Improvements.

H. R. 89, S. R. 363, resolution requesting our Senators and Members in Congress to use their influence to repeal the tax upon snuff and tobacco and brandies distilled from fruits. Referred to the committee on Finance.

Also, returning to the Senate,

S. B. 88, H. B. 444, bill to insure the annual registration of vital statistics, in accordance with the request of the Senate, for correct engrossment.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time and disposed of as follows:

By Mr. Scott of New Hanover: S. B. 364, bill in relation to the execution of criminals in capital felonies. Referred to the committee on Penal Institutions.

S. B. 365, bill concerning inspection and inspectors of the city of Wilmington. Referred to the committee on Propositions and Grievances.

By Mr. Faison: S. B. 366, bill concerning the State's interest in swamp lands, to place them on the market, &c. Referred to the committee on Education.

By Mr. Clarke: S. B. 367, (by request,) bill to incorporate the Newbern Cotton and Grain Exchange. Referred to the committee on Corporations.

By Mr. Harris: S. B. 368, bill to prevent Judges of the Inferior Court from practicing as attorneys at law. Referred to the committee on Propositions and Grievances.

By Mr. Burwell: S. B. 369, bill to amend the charter of the city of Charlotte. Referred to the committee on Corporations.

S. B. 370, bill to incorporate the Carolina Gold Mining Company. Referred to the committee on Corporations.

By Mr. Clarke: S. B. 371, bill to amend the landlord and tenant act. Referred to the committee on Judiciary.

Mr. Carr moved to reconsider the vote by which

S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77, passed its third reading on yesterday. The motion prevailed.

Question recurring upon the passage of the bill its third reading,

On motion of Mr. Dortch, it was postponed until the unfinished business of yesterday was disposed of.

UNFINISHED BUSINESS.

S. B. 98, bill to allow defendants in certain criminal actions to become witnesses for themselves, being the unfinished business of yesterday, was taken up on its second reading.

The question recurred upon the amendment offered by Mr. Dortch, which was adopted.

Mr. Tucker moved to amend: Strike out the words "for rape and assault with intent to commit rape and," and after the word "person" in sixth line, insert "obtaining money, provisions, goods, wares or merchandise of any description, by any false pretence and embezzlement."

Mr. Davidson moved to amend the amendment: Strike out the words "for rape and assault with intent to commit rape." Adopted.

The amendment as amended was adopted.

Question recurred upon the adoption of the substitute offered by Mr. Davidson for the bill.

Mr. Davidson demanded the previous question, which was sustained.

Upon the adoption of the substitute,

Mr. Bernard demanded the ayes and noes, which were ordered, and the substitute was adopted, ayes 25, noes 17, as follows:

Those voting in the affirmative were

Messrs. Bernard, Burwell, Clarke, Davidson, Dever, Dickey, Eaves, Faison, Harper, Jenkins, Jones, Lockhart, Mebane, Newsom, Oates, Parish, Pridgen, Respass, Scott of New Hanover, Spruill, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—25.

Those voting in the negative were

Messrs. Battle, Carr, Cuninghame, Dortch, Finger, Foil, Hampton, Harris, King, Manning, Merritt, Newland, Richardson, Scott of Rockingham, Spears, Stowe and Tucker—17.

Question recurring on the passage of the bill its second reading,

Mr. Dortch moved to amend: Insert as section 3:

“SECTION 3. That on the trial of all criminal actions, the wife of the defendant shall be a competent witness for defendant.”

Adopted.

On passage of the bill its second reading,

Mr. Stowe demanded the ayes and noes, which were ordered, and the bill passed, ayes 27, noes 13, as follows:

Those voting in the affirmative were

Messrs. Bernard, Burwell, Carr, Clarke, Davidson, Dever, Eaves, Faison, Harper, Jenkins, Jones, Lockhart, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spruill, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—27.

Those voting in the negative were

Messrs. Battle, Cuninghame, Dortch, Finger, Foil, Hampton, Harris, King, Manning, Newland, Spears, Stowe and Tucker—13.

Mr. Scott of Rockingham moved to adjourn. Lost.

Bill was then put upon its third reading, and passed.

Mr. Davidson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion of Mr. Clarke,

S. B. 191, bill to incorporate the Board of Trade of Newbern, North Carolina, was taken from the Calendar and re-committed to the committee on Corporations.

On motion, the Senate adjourned.

TWENTY-SIXTH DAY.

SENATE CHAMBER, February 3d, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

Mr. Harris was announced absent on account of sickness.

Mr. Bernard and Mr. York on committee duty.

Leave of absence was granted Mr. Glenn until Tuesday.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Spruill: Petitions from citizens of Chowan county praying that a prohibitory liquor law be not enacted for Chowan county. Referred to the committee on Prohibition.

By Mr. Eaves: Petition from the Baptist church at Chimney Rock in Rutherford county, asking the passage of a prohibitory law. Referred to the committee on Prohibition.

By Mr. Spruill: Petition of citizens of Creswell, Washington county, asking the repeal of the prohibitory law for said town. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: S. B. 289, bill to provide adequate clerical force in the Treasury department, recommending it do pass.

H. B. 338, S. B. 355, bill to authorize the commissioners

of Graham county to levy a special tax, recommending it do pass.

H. R. 86, S. R. 336, resolution to raise a joint committee to take into consideration the subject of raising a monument to the late Richard Caswell, recommending it do pass.

From the committee on Corporations:

By Mr. Lockhart: H. B. 230, S. B. 339, bill to incorporate the town of Norwood in the county of Stanly, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Parish: S. B. 243, bill to apply all moneys collected from failing or refusing to work the public roads in Wilkes county to the better improvement of that section of road from which the money was derived, recommending it do not pass.

By Mr. Battle: H. B. 86, S. B. 283, bill to regulate the weighing of cotton in the city of Newbern, recommending it do pass.

S. B. 353, bill to amend chapter 127, Acts of 1879, recommending it do not pass.

By Mr. Eaves: S. B. 350, bill for the relief of certain disabled Confederate soldiers, reporting amendments, and, as amended, recommending it do pass.

By Mr. Jones: H. B. 325, S. B. 342, bill to establish the dividing lines between the counties of Jones, Craven and Lenoir, recommending it do pass.

By Mr. Battle: H. B. 204, S. B. 340, bill to make Hycocock river a lawful fence, recommending it do pass.

H. B. 167, S. B. 315, bill to make the Dan river in Stokes county a lawful fence, recommending it do pass.

S. B. 304, bill to secure the better drainage of the lowlands on Brushy Fork creek in the county of Davidson, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed,

S. B. 273, bill to incorporate the town of Cherryville in Gaston county.

Senate amendments to

H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railway Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Gudger: S. B. 372, bill to authorize the commissioners of Mitchell county to levy a special tax. Referred to the committee on Finance.

By Mr. Eaves: S. B. 373, bill to allow the commissioners of Rutherford county to issue bonds. Referred to the committee on Finance.

By Mr. Spruill: S. B. 374, bill to amend chapter 115, Laws of 1874-'75. Referred to the committee on Fish and Fisheries.

By Mr. Battle: S. B. 375, bill in regard to the salary of the Private Secretary of the Governor. Referred to the committee on Finance.

By Mr. Spruill: S. B. 376, bill to amend chapter 48, Battle's Revisal, declaring a four-foot fence a lawful fence in Pamlico county. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 274, S. B. 377, bill to regulate practice on appeals in criminal actions from justices of the peace. Referred to the committee on Judiciary.

H. B. 102, S. B. 378, bill to authorize the Board of Com-

missioners of Halifax county to pay certain school claims. Referred to the committee on Claims.

H. B. 326, S. B. 379, bill authorizing the mayor and commissioners of Marion in McDowell county to collect arrears of taxes. Referred to the committee on Finance.

H. B. 275, S. B. 380, bill to amend chapter 276, Laws of 1876-'77, in regard to county officers. Referred to the committee on Judiciary.

H. B. 336, S. B. 381, bill concerning the records of certain land grants. Referred to the committee on Judiciary.

H. B. 297, S. B. 382, bill to prevent the felling of timber in Trent river in Jones county. Referred to the committee on Propositions and Grievances.

H. R. 82, S. R. 383, resolution to investigate the agricultural and mechanical school at Chapel Hill. Referred to the committee on Agriculture, Mechanics and Mining.

By consent,

Mr. Williamson of Davie introduced

S. B. 384, bill to amend section 1, chapter 186, Laws of 1879. Referred to the committee on Judiciary.

Mr. Scott of Rockingham: S. B. 385, bill to encourage the colleges of this State in establishing libraries. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. R. 51, S. R. 386, resolution providing additional clerical assistance for the Secretary of State. Referred to the committee on Judiciary.

Also announcing the concurrence of that body in Senate amendments to

H. B. 291, S. B. 298, bill to incorporate the South Atlantic and Ohio Railroad company,

And had ordered the same enrolled for ratification.

On motion of Mr. Hanes, the rules were suspended and H. R. 78, S. R. 346, resolution in favor of the trustees of Franklin Camp Ground in Macon county, was taken up and recommitted to the committee on Corporations.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 301, bill to provide for revising and digesting the public statute laws of this State, on its second reading, being the special order for this hour.

Mr. Battle moved to amend: Strike out the first section and insert the following:

“SEC. 1. That three commissioners be appointed by the Governor to collate, digest and revise all the public laws of this State now in force and including those which may be enacted during the present session of the General Assembly.”

Mr. King called for a division of the question.

The motion to ‘strike out’ was lost.

The amendment was lost.

Bill passed its second reading.

On motion, the rules were suspended, and the bill put upon its third reading.

Mr. Respass moved to amend: Strike out the name of “W. P. Bynum” and insert the name of “H. F. Granger.”

On which he demanded the ayes and noes, which were ordered.

A division of the question was asked for.

The Senate refused to “strike out,” ayes 9, noes 33, as follows:

Those voting in the affirmative were

Messrs. Battle, Davidson, Jones, Manning, Oates, Respass, Richardson, Spruill and Whitaker—9.

Those voting in the negative were

Messrs. Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Gudger, Hampton, Hanes, Harper, Jenkins, King, Lockhart, Mebane, Merritt, Newland, Newsom, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Spears, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe and Wynne—33.

Mr. Whitaker moved to amend the first section so that it will read: "three commissioners to be appointed by the Governor of North Carolina."

On a division of the question, the motion to strike out was lost.

Bill then passed its third reading, and was ordered engrossed.

Mr. Parish moved to reconsider the vote by which the bill passed its third reading; and moved to lay the motion on the table.

The latter motion prevailed.

S. B. 270, bill to require the Public Treasurer to sell certain bonds and apply the proceeds thereof to the common school fund, on its second reading, as the second special order.

The bill passed its second reading, and, on motion, the rules were suspended and it was put upon its third reading.

Mr. Davidson moved to amend:

Add to section 2: "*Provided*, That the North Carolina four per cent. bonds mentioned in this section shall not be sold at less than par." Lost.

Mr. Tucker moved to amend:

"That the county commissioners may have the preference to take the bonds at the market price rather than the cash."
Lost.

Bill then passed its third reading, and was ordered engrossed.

Mr. Richardson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 202, bill amending the charter of the Granville Railroad Company, on its second reading, as the third special order.

The amendments reported by the committee on Corporations were adopted.

Mr. Whitaker moved to amend: "Strike out section 4."
Adopted.

Bill then passed its second reading, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Dickey, Eaves, Faison, Finger, Foil, Gudger, Hampton, Hanes, Harper, Jenkins, Jones, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Spruill, Stowe, Tucker, Whitaker and Wynne—34.

S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77, on its third reading.

Mr. Carr moved to recommit to the committee on Propositions and Grievances. Lost.

Mr. Scott of Rockingham moved to refer to the committee on Prohibition.

Mr. King demanded the previous question. Sustained.

The motion to refer was lost.

Bill passed its third reading, and was ordered engrossed.

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company, on its third reading.

Amendments reported by the committee on Corporations were adopted.

Mr. Scott of Rockingham, moved to amend:

Add, "That the provisions of this act shall be void, unless a survey of such route or routes of railroad herein provided for be made, and work thereon be begun, and continuously prosecuted, within two years from and after the ratification of this act." Lost.

Bill then passed its third reading, and the amendments were ordered engrossed.

On motion, the Senate adjourned.

TWENTY-SEVENTH DAY.

SENATE CHAMBER, February 4th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Cuninghame until Tuesday, Mr. Eaves until next Monday week, Mr. Dever until Friday next; Mr. King until Thursday next; Mr. Newland until Thursday next, Mr. Scott of New Hanover until Tuesday, Mr. Pridgen until Tuesday; Messrs. Hanes and Harris were announced absent, sick; Mr. Williamson of Edgecombe granted leave until Wednesday next, Mr. Staples until Monday.

Mr. Woodhouse, Senator elect from the first district, was announced detained at home on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Cuninghame : Sundry petitions from citizens of Person county asking for the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

Also, petitions from certain citizens of Caswell county asking the appointment of certain justices of the peace. Referred to the committee on Justices of the Peace.

By Mr. Jones : Petitions from citizens of Richland township, Onslow county, asking the appointment of certain justices of the peace. Referred to the committee on Justices of the Peace.

By Mr. Eaves : Petition from Stone Mountain and Pine Knob Baptist churches in Rutherford county, asking for the passage of a prohibitory law. Referred to the committee on Prohibition.

By Mr. Spruill : Petition from citizens of Pamlico county, asking the repeal of chapter 137, Laws of 1873-'74. Referred to the committee on Prohibition.

Petition from certain citizens of Pamlico county, asking that Goose Creek Island township remain a part of Pamlico county. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows :

From the committee on Corporations :

By Mr. Scott of Rockingham : S. B. 191, bill to incorporate the Board of Trade of Newbern, recommending it do pass.

H. B. 184, S. B. 324, bill to amend chapter 41, Private Laws of 1879, in reference to the Good Samaritans, recommending it do pass.

By Mr. Lockhart: S. B. 370, bill to incorporate the Carolina Gold Mining Company, recommending it do pass.

S. B. 367, bill to incorporate the Newbern Cotton and Grain Exchange, reporting it back without recommendation.

From the committee on Engrossed Bills:

By Mr. Carr, as properly engrossed:

S. B. 280, bill to amend section 1, chapter 260, Laws of 1876-'77;

S. B. 98, bill to allow defendants in criminal actions to become witnesses for themselves.

Senate amendments to

H. B. 209, S. B. 235, bill to incorporate the North State Mining Company.

From the committee on Enrolled Bills:

By Mr. Clarke, as correctly enrolled:

H. B. 232, S. B. 292, an act to authorize the Board of Commissioners of Henderson county to levy a special tax;

H. B. 205, S. B. 282, an act to promote the growth of oysters in New River;

H. B. 10, S. B. 285, an act to amend section 3, chapter 135, Laws of 1879;

H. R. 45, S. R. 209, a resolution to refund Hooper Brother and Thomas the sum of \$100 unlawfully collected;

S. R. 189, H. R. 69, resolution requesting that our Senators and Representatives in Congress urge that the Commissioner of Agriculture be made Secretary of Agriculture and a member of the President's Cabinet;

H. B. 80, S. B. 299, an act to renew the charter of the Roxboro Railroad Company, to change name and for other purposes;

H. B. 120, S. B. 234, an act to incorporate the Fayetteville and Winston Railroad Company;

H. B. 183, S. B. 258, an act to incorporate the Star of Bladen Lodge, No. 1,967, Grand United Order of Odd-Fellows of Clarktown, North Carolina;

H. B. 171, S. B. 281, an act to prevent the felling of timber in the water-courses in Cabarrus county;

S. B. 111, H. B. 354, an act to incorporate Mount Vernon Lodge, No. 359, Ancient Free and Accepted Masons of the town of Stonewall, Pamlico county.

H. B. 249, S. B. 291½, an act to extend the corporate limits of the town of Clayton in Johnston county;

S. B. 41, H. B. 263, an act to incorporate the Superannuated Fund Society;

S. R. 198, H. R. 77, resolution requesting our Senators and Representatives in Congress to use their influence to secure the passage of H. R. No. 6,741;

H. B. 291, S. B. 298, an act to incorporate the South Atlantic and Ohio Railway Construction and Operating Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Davidson: S. B. 387, bill to prevent the sale and manufacture of liquors in certain localities in Madison county. Referred to the committee on Prohibition.

By Mr. Cuninghame: S. B. 388, bill to prohibit the sale of spirituous liquors within two miles of certain churches in Person county. Referred to the committee on Prohibition.

By Mr. Stowe: S. B. 389, bill to incorporate Spring Shoal Manufacturing Company. Referred to the committee on Corporations.

By Mr. Dever: S. B. 390, bill to incorporate the French Broad Steamboat Company. Referred to the committee on Corporations.

By Mr. Lockhart: S. B. 391, bill to authorize the Clerk of the Supreme Court to furnish copies of opinions of the Supreme Court to the Judges of the Superior Courts. Referred to the committee on Judiciary.

By Mr. Scott of New Hanover: S. B. 392, bill to amend section 30, chapter 70, Laws of 1879. Referred to the committee on Salaries and Fees.

S. B. 393, bill for the better protection of the fish interests in the Cape Fear river. Referred to the committee on Fish and Fisheries.

S. B. 394, bill to repeal chapter 141, Laws of 1876-'77. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 452, S. B. 395, bill to change the name of Davidson River township in Transylvania county to that of Brevard township. Referred to the committee on Corporations.

H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrears of taxes. Referred to the committee on Finance.

H. B. 110, S. B. 397, bill to make it a misdemeanor to kill neat cattle in the range in Bertie county, &c., &c. Referred to the committee on Judiciary.

H. B. 403, S. B. 398, bill to prevent the felling of trees in Snow creek in the county of Stokes. Referred to the committee on Propositions and Grievances.

H. B. 402, S. B. 399, bill to amend chapter 25, section 1, Private Laws of 1879. Referred to the committee on Corporations.

H. B. 340, S. B. 400, bill to prevent the felling of timber or otherwise obstructing the waters of Mill creek in Johnston county. Referred to the committee on Propositions and Grievances.

Also announcing the concurrence of that body in Senate amendments to

H. B. 209, S. B. 235, bill to incorporate the North State

Mining Company, and had ordered the same enrolled for ratification.

THE CALENDAR.

On motion of Mr. Cuningham, the Calendar was placed under the control of the President for to-day.

Bills and resolutions were taken up and disposed of as follows :

S. B. 244, bill to incorporate the Rutherfordton, Marion and Tennessee Railway Company, passed its third reading and was ordered engrossed.

Mr. Newland moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 202, bill amending the charter of the Granville Railroad Company, passed its third reading, ayes 36, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Clarke, Cuningham, Dever, Dickey, Dortch, Faison, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Tucker, Whitaker and Wynne—36.

The bill was ordered engrossed.

S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina and to regulate the catching of the same, on its second reading.

Mr. Clarke moved to amend: Strike out, in section 1, the word "September," and insert the word "August."

Adopted.

Bill then passed its several readings, and was ordered engrossed.

S. R. 7, resolution to provide a commission to investigate

the matter of the sale and transfer of the Western North Carolina Railroad, on its second reading.

Mr. Dortch moved to lay the bill on the table.

Upon which

Mr. Scott of New Hanover demanded the ayes and noes. The call was not sustained.

The motion to table prevailed.

S. B. 103, bill to allow the defendant in all criminal actions to testify in his own behalf, was, on motion, laid on the table.

S. B. 104, bill to authorize the Trustees of the Public Library to publish certain public records, &c., for the use of the Library, passed its several readings, and was ordered engrossed.

H. B. 90, S. B. 114, bill to incorporate Concordia College, on its second reading.

Amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings, and the amendments were ordered engrossed.

S. B. 134, bill to repeal chapter 116, Acts of 1879, was, on motion, laid on the table.

S. B. 145, bill to prohibit the use of Pod or Dutch nets in the waters of the Neuse and Trent rivers and their tributaries, on its second reading.

The amendment reported by the committee on Fish and Fisheries was lost.

Bill then passed its several readings, and was ordered engrossed.

S. B. 194, bill to protect clients against fraudulent attorneys, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 199, bill to incorporate the Jonesboro High School, was, on motion, re-committed to the committee on Corporations.

S. B. 212, bill to repeal section 4, chapter 216, Laws of 1870-'71, was, on motion, laid on the table.

S. B. 214, bill to amend chapters 92 and 116, Laws of 1879, was, on motion, laid on the table.

S. B. 221, bill to amend section 40, chapter 45, Battle's Revisal, was, on motion, laid on the table.

S. B. 222, bill to appoint a cotton weigher for the town of Franklinton, on its second reading.

Amendment reported by the committee on Propositions and Grievances was adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 247, bill to incorporate the Clarendon Water Works Company, passed its several readings, and was ordered engrossed.

Mr. Richardson announced the presence, in the Senate Chamber, of Hon. John W. Shackelford, of Onslow, and moved he be invited to a seat on the floor of the Senate. Mr. Richardson was requested by the President to escort Mr. Shackelford to a seat.

The Calendar was resumed.

H. B. 218, S. B. 247½, bill to amend chapter 8, Laws of Special Session of 1880, passed its several readings, and was ordered enrolled.

S. B. 261, bill to incorporate Clarendon Council, No. 67, of the American Legion of Honor, passed its several readings, and was ordered engrossed.

S. B. 266, bill to amend chapter 200, Laws of 1879, on its second reading.

On motion of Mr. Williamson of Davie, the bill was re-committed to the committee on Judiciary.

S. R. 277, resolution to provide a roster of North Carolina troops engaged in the late war, on its second reading.

The substitute, in the nature of a bill, reported by the committee on Library, was adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 86, S. B. 283, bill to regulate the weighing of cotton in the city of Newbern, passed its several readings, and was ordered enrolled.

S. B. 289, bill to provide adequate clerical force in the treasury department, passed its several readings, and was ordered engrossed.

H. B. 321, S. B. 296, bill to make Brunswick river a lawful fence, passed its second reading, and was put upon its third reading.

On motion the bill was laid on the table.

H. B. 273, S. B. 300, bill for the benefit of the farmers on Beaver Dam and Neck lands between Upper and Lower Little rivers, passed its several readings and was ordered enrolled.

S. B. 302, bill to repeal section 32, chapter 105, Battle's Revisal, was, on motion, laid on the table.

S. B. 303, bill to amend section 3, chapter 92, Laws of 1879, was, on motion, laid on the table.

S. B. 274, bill to change the time for holding elections on the question of Prohibition in Chatham county, passed its several readings and was ordered engrossed.

S. B. 304, bill to secure the better drainage of the low lands on Brushy Fork creek in Davidson county, passed its several readings and was ordered engrossed.

S. B. 305, bill to authorize the Treasurer of Pitt county to settle with the sureties of Edward Wilson, late sheriff of said county, passed its several readings and was ordered engrossed.

S. B. 307, bill to incorporate Marvin Camp Ground in Caldwell county, passed its several readings and was ordered engrossed.

H. B. 283, S. B. 314, bill to authorize the commissioners

of Clay county to levy a special tax, passed its second reading, ayes 33, noes 1, as follows:

These voting in the affirmative were

Messrs. Battle, Burwell, Carr, Carter, Clarke, Cuningham, Davidson, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie and Wynne—33.

In the negative Mr. Spears—1.

H. B. 278, S. B. 293, bill to incorporate Tucker's Grove Camp Ground in Lincoln county, passed its several readings and was ordered enrolled.

S. B. 288, bill to amend the charter of the town of Winston, passed its several readings and was ordered engrossed.

H. B. 309, S. B. 297, bill to protect fish in the waters of Tyrrell county, passed its several readings and was ordered enrolled.

H. B. 167, S. B. 315, bill to make the Dan river in Stokes county a lawful fence, passed its several readings and was ordered enrolled.

H. B. 242, S. B. 317, bill to incorporate the Dan Valley and Yadkin river Narrow Gauge Railroad Company, passed its second reading, ayes 29, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarke, Cuningham, Davidson, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, Manning, Mebane, Merritt, Oates, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Stowe, Tucker, Whitaker and Wynne—29.

On motion of Mr. Williamson of Davie, the bill was ordered printed, and made the special order for Thursday, 10th inst., at 12 M.

By consent,

Mr. Whitaker introduced

S. B. 401, bill to incorporate the bank of Enfield. Referred to the committee on Corporations.

Mr. Respass introduced

S. B. 402, bill to make title to State lands in certain cases. Referred to the committee on Judiciary.

The Calendar was resumed.

H. R. 46, S. R. 318, resolution asking a survey of Oregon Inlet in Dare county, and for buoying and staking the same was adopted and ordered enrolled.

H. R. 84, S. R. 325, resolution of enquiry to the Supreme Court, was,

On motion of Mr. Dortch, referred to the committee on Judiciary.

S. B. 191, bill to incorporate the Board of Trade of Newbern, N. C., passed its several readings and was ordered engrossed.

S. B. 327, bill to repeal chapter 158, Laws of 1874-'75, on its second reading.

The substitute reported by the committee on Prohibition was adopted.

Bill then passed its several readings and was ordered engrossed.

S. B. 337, bill to regulate fishing in the waters of Pamlico and Tar rivers, passed its several readings and was ordered engrossed.

On motion, the Senate adjourned.

TWENTY-EIGHTH DAY.

SENATE CHAMBER, February 5th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Oates until Wednesday next.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Clarke: Petition from four hundred voters of Craven county, asking they be allowed to fish on Saturday. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Williamson of Davie: S. B. 240, bill to amend an act to establish county governments, recommending it do not pass.

H. B. 221, S. B. 284, bill to legalize the election held in Marion, McDowell county, on the first Monday in May, 1880, recommending its reference to the committee on Privileges and Elections. It was so referred.

By Mr. Glenn: H. B. 220, S. B. 252, bill to amend section 2, chapter 120, Battle's Revisal, relating to the official bonds of commissioners of wrecks, recommending it do not pass.

By Mr. Tucker: S. B. 183, bill to repeal chapter 242, Laws of 1876-'77, recommending it do not pass.

By Mr. Spruill: S. B. 276, bill to encourage and protect the investment of capital for mining purposes, recommending its reference to the committee on Corporations. It was so referred.

By Mr. Parish: H. B. 38, S. B. 232, bill to amend section 31, chapter 102, Laws of 1868-'69, recommending it do pass.

By Mr. Lockhart: S. B. 333, bill to reduce the price of

the Laws and Supreme Court Reports, recommending it do pass.

S. B. 180, bill to prevent fraud at elections and to facilitate the discovery of the same, recommending it do not pass.

By Mr. Davidson: H. B. 206, S. B. 254, bill to relieve the citizens of Buncombe county from the operations of a law passed at the Special Session of 1880, relating to driving cattle west of the Blue Ridge, recommending it do pass.

By Mr. Burwell: S. B. 100, bill to amend the law of attachments, recommending it do pass.

S. B. 216, bill to amend the homestead law, chapter 55, Battle's Revisal, recommending it be printed and recommended. It was so ordered.

From the committee on Corporations:

By Mr. Scott of Rockingham: H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, reporting amendments, and as amended, recommending it do pass.

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company, reporting amendments, and as amended, recommending it do pass.

By Mr. Hanes: H. R. 78, S. R. 346, resolution in favor of the trustees of Franklin Camp Ground, in Macon county, recommending it do pass.

H. B. 245, S. B. 359, bill to incorporate the town of Rutherford College, and to repeal chapter 32, Private Laws of 1871-'72, recommending it do pass.

From the committee on Military Affairs:

By Mr. Stowe: Petition of certain officers and members of the State Guard in Robeson county asking to be exempt from road and jury duty, asking to be discharged from its further consideration.

From the Committee on Engrossed Bills:

By Mr. Spears, as properly engrossed,

S. B. 270, bill to require the Public Treasurer to sell cer-

tain bonds and apply the proceeds thereof to the common school fund.

S. B. 301, bill to provide for revising and digesting the Public Statute Laws of this State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Foil: S. B. 403, bill to authorize the commissioners of Cabarrus county to levy a special tax. Referred to the committee on Finance.

By Mr. Clarke: S. R. 404, resolution requesting our Senators and Representatives in Congress to use their influence to obtain appropriations for the rivers and harbors of North Carolina. Placed upon the Calendar.

By Mr. Newsom: S. B. 405, bill to allow married women and widows to vote for the prohibition of spirituous liquors. Referred to the committee on Prohibition.

By Mr. Glenn: S. B. 406, bill to incorporate the Grand Lodge of Knights of Honor of North Carolina and subordinate lodges working under the jurisdiction of said Grand Lodge. Referred to the committee on Corporations.

By Mr. Harper: S. B. 407, bill to establish and provide for organizing the county of Coharie from parts of the counties of Johnston, Wayne and Sampson. Referred to the committee on corporations.

By Mr. Burwell: S. B. 408, bill in relation to lost certificates of stock in Corporations. Referred to the committee on Judiciary.

By Mr. Parish: S. B. 409, bill to amend section 41, Code of Civil Procedure, as brought forward in chapter 17, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Manning: S. B. 413, bill to prohibit the sale of liquors within three miles of the town of Gatesville. Re-

ferred, with accompanying petition, to the committee on Prohibition.

S. B. 414, bill to submit the question of the sale of spirituous liquors to the voters of the town of Murfreesboro. Referred, with accompanying petition, to the committee on Prohibition.

CALENDAR.

On motion of Mr. Williamson of Davie, the Calendar was placed under the control of the President for to-day.

Bills and resolutions were taken up and disposed of as follows:

H. B. 283, S. B. 314, bill to allow the commissioners of Clay county to levy a special tax, passed its third reading, ayes 30, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Clarke, Davidson, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Oates, Parish, Richardson, Spruill, Stowe, Tucker, Williamson of Davie and Wynne—30.

In the negative, Mr. Spears—1.

Mr. Glenn moved to reconsider the vote by which

S. B. 288, bill to amend the charter of the town of Winston, passed its third reading on yesterday. The motion prevailed.

Mr. Glenn then moved to reconsider the vote by which the bill passed its second reading on yesterday, which prevailed.

The bill then passed its second reading, ayes 32, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarke, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Oates, Parish, Scott of New Hanover,

Scott of Rockingham, Spears, Stowe, Tucker, Whitaker, Williamson of Davie and Wynne—32.

S. B. 101, bill to carry into effect "an act to adjust and renew a portion of the State debt," ratified the 14th day of March, 1879, was, on motion, laid on the table.

H. B. 31, S. B. 146, bill to punish the crime of producing abortion, was, on motion, laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 368, S. B. 410, bill to incorporate the town of Webster in Jackson county. Referred to the committee on Corporations.

H. B. 303, S. B. 411, bill to prevent live stock running at large in the county of New Hanover. Referred to the committee on Propositions and Grievances.

Also, transmitting a communication from his Excellency, the Governor, with accompanying documents, and proposing to raise a joint committee of three on the part of the House and two on the part of the Senate to consider and report upon the subject matter of said documents. The proposition was concurred in.

By consent,

Mr. Stowe introduced

S. B. 412, bill to repeal section 10, chapter 240, Laws of 1879, and to fix the salary of the Adjutant General. Placed on the Calendar.

The Calendar was resumed.

H. B. 184, S. B. 324, bill to amend chapter 241, Private Laws of 1879, in reference to the Good Samaritans, passed its several readings and was ordered enrolled.

S. B. 329, bill to allow the county commissioners of Pitt county to appoint two cotton weighers for the town of

Greenville, passed its several readings, and was ordered engrossed.

Mr. Clarke moved to reconsider the vote by which

H. B. 86, S. B. 283, bill to regulate the weighing of cotton in the city of Newbern, passed its third reading on yesterday, which prevailed.

Question recurring upon the passage of the bill its third reading,

Mr. Clarke moved to amend: Strike out in section 4, the words "to be paid by the seller," and insert "one-half to be paid by the buyer and the other half by the seller." Adopted.

Thus amended, the bill passed its third reading, and the amendment was ordered engrossed.

S. B. 330, bill to incorporate Shiloh Academy in the county of Davidson, passed its several readings and was ordered engrossed.

H. R. 86, S. R. 336, resolution to raise a joint committee to take into consideration the subject of raising a monument to the late Richard Caswell, was adopted.

The President appointed as Senate branch of said committee, Messrs. Mebane and King.

S. B. 338, bill to amend chapter 84, Laws of 1858-'59, relative to the charter of Catawba College, passed its several readings and was ordered engrossed.

H. B. 230, S. B. 339, bill to incorporate the town of Norwood in the county of Stanly, passed its second reading.

H. B. 204, S. B. 340, bill to make Hyco river a lawful fence, passed its several readings and was ordered enrolled.

H. B. 217, S. B. 341, bill to incorporate the trustees of Mount Pleasant Camp Ground and to prohibit the sale of liquor thereon, passed its several readings and was ordered enrolled.

H. 325, S. B. 342, bill to establish the dividing lines between the counties of Jones, Craven and Lenoir, passed its several readings and was ordered enrolled.

H. B. 328, S. B. 343, bill to amend an act concerning the appointment of Trustees for Franklin Academy, passed its several readings and was ordered enrolled.

S. B. 350, bill for the relief of certain disabled Confederate soldiers, was,

On motion, recommitted to the committee on Propositions and Grievances.

S. B. 352, bill to incorporate Cowee Baptist church in Macon county, passed it several readings and was ordered engrossed.

S. B. 353, bill to amend chapter 127, Laws of 1879, was, on motion, laid on the table.

S. B. 354, bill to incorporate Hanging-dog Baptist church in Cherokee county, passed its several readings and was ordered engrossed.

H. B. 338, S. B. 355 $\frac{1}{2}$, bill to authorize the commissioners of Graham county to levy a special tax, passed its second reading, ayes 27, as follows.

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarke, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jones, Lockhart, Manning, Mebane, Merritt, Oates, Richardson, Spruill, Stowe, Tucker, Williamson of Davie and Wynne—27.

S. B. 367, bill to incorporate the Newbern Cotton and Grain Exchange, was, on motion, laid on the table.

S. B. 370, bill to incorporate the Carolina Gold Mining Company passed its several readings and was ordered engrossed.

S. B. 394, bill to repeal chapter 141, Laws of 1876-'77, on its second reading.

Mr. Dortch moved it be indefinitely postponed, upon which

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion to indefinitely postpone prevailed, ayes 27, noes 7, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jones, Lockhart, Manning, Mebane, Oates, Parish, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker and Williamson of Davie—27.

Those voting in the negative were

Messrs. Carter, Clarke, Jenkins, Newsom, Scott of New Hanover, Spears and Wynne—7.

S. B. 224, bill to authorize the Northwestern North Carolina Railroad to extend its road and to build branches thereof, on its third reading.

Mr. Glenn moved to amend: Add to the first section the following:

“ Provided, That nothing contained in this act shall operate or be construed so as to prevent or interfere with the construction of the North Carolina extension of the Virginia Midland Railroad from Danville, Virginia, via Winston, Forsythe county, and Mocksville, Davie county, to some point on the Atlantic, Tennessee and Ohio Railroad in Iredell county, but said company is hereby authorized to build said road under the organization and consolidation heretofore made by the stockholders and directors of the consolidated line comprising the North Carolina extension.”

Mr. Tucker moved to amend the amendment: “Strike out all after the words ‘Iredell county’ in line 12.” Lost.

Mr. Glenn’s amendment was adopted.

Bill then passed its third reading, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Manning, Mebane, Merritt, Newsom, Oates, Parish, Richardson, Scott of New

Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie and Wynne—34.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the appointment of Messrs. Joyner, Smedes and Page, as House branch of joint committee to consider the proposition of raising a monument to the late Governor Richard Caswell, in accordance with House resolution 86.

The Calendar was resumed.

H. R. 78, S. R. 346, resolution in favor of the trustees of Franklin Camp Ground in Macon county, passed its several readings and was ordered enrolled.

H. B. 245, S. B. 359, bill to incorporate the town of Rutherford College, and to repeal chapter 32, Private Laws of 1871-'72, passed its several readings and was ordered enrolled.

S. B. 180, bill to prevent fraud at elections and to facilitate the discovery thereof, was, on motion, laid on the table.

H. B. 38, S. B. 232, bill to amend section 31, chapter 102, Laws of 1868-'69, on its second reading.

Mr. Spears moved to postpone the bill until Monday, 7th inst., and make it the special order for 12 o'clock M. of that day. Lost.

Mr. Clarke moved to lay the bill on the table, on which

Mr. Harris demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 8, noes 22, as follows:

Those who voted in affirmative were

Messrs. Carter, Clarke, Hanes, Jenkins, Newsom, Spears, Stowe and Wynne—8.

Those who voted in the negative were

Messrs. Battle, Burwell, Davidson, Dickey, Dortch, Finger, Glenn, Gudger, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Parish, Richardson, Scott of New Hanover,

Scott of Rockingham, Spruill, Tucker, Whitaker and Williamson of Davie—22.

Bill then passed its several readings and was ordered enrolled.

On motion of Mr. Newsom, the Senate adjourned.

TWENTY-NINTH DAY.

SENATE CHAMBER, February 7th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Leave of absence was granted Mr. Foil for to-day; and to the Principal Doorkeeper for to-day.

Mr. Harris was announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Tucker: Petitions from citizens of Iredell county against the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Whitaker: Petitions of citizens of New Hanover in relation to the criminal court of said county. Referred to the committee on Judiciary.

By Mr. Stowe: Petition from Shelby Baptist church, asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Propositions and Grievances :

By Mr. Parish : S. B. 385, bill to encourage the colleges of the State in establishing libraries, recommending it do pass.

By Mr. Glenn : S. B. 368, bill to prevent judges of inferior courts from practicing as attorneys-at-law, recommending it do not pass.

By Mr. Battle : H. B. 403, S. B. 398, bill to prevent the felling of trees in Snow creek in the county of Stokes, recommending it do pass.

S. B. 376, bill to amend chapter 48, Battle's Revisal, declaring a four-foot fence a lawful fence in Pamlico county, recommending it do not pass.

From the committee on Engrossed Bills :

By Mr. Carr, as properly engrossed,

S. B. 104, bill to authorize the Trustees of the Public Library to publish certain public records, &c., for the use of the Library.

S. B. 289, bill to provide adequate clerical force in the Treasury Department.

Senate amendments to

H. B. 90, S. B. 114, bill to incorporate Concordia College.

Mr. Clarke asked and obtained leave to withdraw from the committee on Propositions and Grievances a petition from four hundred citizens of Craven county, &c., and asked that the same be referred to the committee on Fish and Fisheries. It was so ordered.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Davidson : S. B. 415, bill to authorize the employment of a clerk in the Executive Department. Referred to the committee on Salaries and Fees.

By Mr. Glenn : S. B. 416, bill to amend section 28, chapter 199, Laws of 1871-'72. Placed upon the Calendar.

Mr. Clarke introduced resolution to amend the rules of the Senate. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

H. B. 230, S. B. 339, bill to incorporate the town of Norwood in the county of Stanly, passed its third reading and was ordered enrolled.

S. B. 288, bill to amend the charter of the town of Winston, passed its third reading, ayes 28, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Davidson, Dickey, Faison, Finger, Glenn, Gudger, Hampton, Hanes, Jenkins, Jones, Lockhart, Merritt, Newsom, Parish, Respass, Richardson, Spears, Spruill, Stowe, Tucker, Williamson of Davie, and Wynne—28.

S. B. 100, bill to amend the law of attachments, passed its second reading.

H. B. 338, S. B. 355½, bill to allow the commissioners of Graham county to levy a special tax, passed its third reading, ayes 25, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Davidson, Dickey, Faison, Finger, Glenn, Gudger, Hampton, Jenkins, Jones, Lockhart, Merritt, Newsom, Parish, Richardson, Stowe, Tucker, Williamson of Davie and Wynne—25.

In the negative, Mr. Spears—1.

S. B. 240, bill to amend an act to establish county governments, was, on motion, laid on the table.

H. B. 206, S. B. 254, bill to relieve the citizens of Buncombe county from the operations of a law passed at the

Special Session of 1880, relating to driving cattle west of the Blue Ridge, passed its several readings and was ordered enrolled.

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, on its second reading.

The amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings, and the amendments were ordered engrossed.

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company, on its second reading.

The amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings, and the amendments were ordered engrossed.

S. B. 333, bill to reduce the price of the Laws and Supreme Court Reports, passed its several readings and was ordered engrossed.

S. R. 404, resolution requesting our Senators and Members in Congress to use their influence to obtain appropriations for the rivers and harbors of North Carolina, was, on motion, laid on the table.

S. B. 412, bill to repeal section 10, chapter 240, Laws of 1879, and to fix the salary of the Adjutant General, on its second reading and passed.

The bill was put on its third reading.

Mr. Newsom moved to amend: Strike out "six hundred dollars" and insert "five hundred dollars." Lost.

Mr. Respass demanded the ayes and noes on the passage of the bill, which were ordered, and the bill failed to pass, ayes 12, noes 17, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carr, Carter, Davidson, Gudger, Jenkins, Jones, Lockhart, Merritt, Spears, Spruill and Stowe—12.

Those voting in the negative were

Messrs. Battle, Blue, Burwell, Clarke, Dickey, Faison,

Finger, Glenn, Hampton, Newsom, Parish, Respass, Richardson, Tucker, Whitaker, Williamson of Davie and Wynne—17.

Mr. Clarke moved to reconsider the vote by which the bill failed to pass its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

S. B. 416, bill to amend section 28, chapter 199, Public Laws of 1871-'72, passed its several readings and was ordered engrossed.

H. B. 220, S. B. 252, bill to amend section 2, chapter 120, Battle's Revisal, relating to the official bonds of commissioners of wrecks, was, on motion, laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 258, S. B. 417, bill to authorize the town of Salisbury to aid in the completion of its graded school house. Referred to the committee on Finance.

H. B. 121, S. B. 418, bill to authorize the board of county commissioners of Jones county to order an election in Trenton township to submit to the qualified voters the question of license or no license. Referred to the committee on Prohibition.

H. B. 198, S. B. 419, bill to authorize the commissioners of Alexander county to levy a special tax. Referred to the committee on Finance.

House amendments to

S. B. 50, H. B. 355, bill to amend chapter 135, Laws of 1879, so that Catawba county may be included in its provisions.

On motion, the amendment was concurred in, and the bill was ordered enrolled for ratification.

House amendment to

S. B. 110, H. B. 383, bill to amend Battle's Revisal, chapter 17, section 43.

On motion, the amendment was concurred in, and the bill was ordered enrolled for ratification.

Also, announcing the concurrence of the House in Senate amendments to

H. B. 90, S. B. 114, bill to incorporate Concordia College, And had ordered the same enrolled for ratification.

On motion, the Senate adjourned.

THIRTIETH DAY.

SENATE CHAMBER, February 8th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Mr. Scott of Rockingham was granted leave of absence for to-day.

Mr. Harris was announced absent on account of sickness.

Leave of absence was granted to Mr. Mebane until Wednesday.

On motion of Mr. Whitaker, Messrs. Davidson, Glenn, and Scott of Rockingham, were added to the committee on Penal Institutions.

Mr. Finger moved to reconsider the vote by which House amendments to

S. B. 50, bill to amend chapter 135, Laws of 1879, so that Catawba county should be included in its provisions, were concurred in on yesterday.

The motion prevailed.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Davidson : Petitions of citizens of Madison county praying the passage of local prohibitory liquor laws. Referred to the committee on Prohibition.

By Mr. Bernard : Petition from citizens of Pitt and Beaufort counties to regulate fishing in Tar and Pamlico rivers. Referred to the committee on Fish and Fisheries.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary :

By Mr. Glenn : S. B. 320, bill to punish persons failing to list their poll and property for taxation, recommending its reference to the committee on Finance. It was so referred.

H. B. 336, S. B. 381, bill concerning the records of certain land grants, recommending it do pass.

By Mr. Williamson of Davie : S. B. 334, bill concerning evidence in bastardy cases, recommending it do not pass.

S. B. 266, bill to amend chapter 200, Laws of 1879, recommending it do pass.

H. B. 110, S. B. 397, bill to make it a misdemeanor to kill neat cattle in the range in Bertie county, &c., &c., recommending it do pass.

By Mr. Spruill : S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal, recommending it do not pass.

By Mr. Whitaker : S. B. 290, bill to amend section 177, Code of Civil Procedure, recommending it do pass.

By Mr. Parish : S. B. 384, bill to amend section 1, chapter 186, Laws of 1879, recommending it do not pass.

S. B. 409, bill to amend section 41, Code of Civil Proce-

ture, as brought forward in chapter 17, Battle's Revisal, recommending it do pass.

By Mr. Tucker: S. B. 391, bill to authorize the Clerk of the Supreme Court to furnish copies of opinions of the Supreme Court to the Judges of the Superior Courts, recommending it do pass.

H. B. 274, S. B. 377, bill to regulate practice on appeals in criminal actions from justices of the peace, recommending it do not pass.

By Mr. Spears: H. R. 84, S. R. 325, resolution of inquiry to the Supreme Court, recommending it do not pass.

S. B. 326, bill to provide for summoning witnesses from other counties on trials before justices of the peace, recommending it do not pass.

S. B. 402, bill to make title to State's lands in certain cases, recommending its reference to the committee on Education. It was so referred.

By Mr. Burwell: S. B. 408, bill in relation to lost certificates of stock in corporations, recommending it do pass.

H. B. 165, S. B. 344, bill to authorize the commissioners of Lincoln county to condemn lands for fence-ways, recommending it do pass.

From the committee on Finance:

By Mr. Richardson: S. B. 372, bill to authorize the county commissioners of Mitchell county to levy a special tax, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: H. B. 340, S. B. 400, bill to prevent the felling of timber or otherwise obstructing the waters of Mill creek in Johnston county, recommending it do pass.

By Mr. Jones: H. B. 297, S. B. 382, bill to prevent the felling of timber in Trent river in Jones county, reporting an amendment, and as amended, recommending it do pass.

From the committee on Public Buildings and Grounds:

By Mr. Parish: S. B. 327, bill to provide for the erection of a Supreme Court and Library building, and a Governor's

residence, reporting an amendment, and as amended, recommending it do pass.

From the committee on Privileges and Elections :

By Mr. Respass : S. B. 141, bill to establish a new county to be called Vance, reported amendments, and as amended, recommending it do pass.

From the committee on Engrossed Bills :

By Mr. Spears, as properly engrossed,

H. B. 34, S. B. 256, Senate amendment to bill relating to roads and highways in the counties of Mecklenburg, Forsyth and Stokes ;

S. B. 274, bill to change the time for holding elections on the question of prohibition in Chatham county ;

S. B. 275, bill to prevent the sale of spirituous liquors within three miles of Shiloh Academy in Davidson county and for other purposes ;

S. B. 267, bill for the relief of Robert M. Stafford and others ;

S. B. 230, bill to amend chapter 235, sections 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, section 17, in relation to the distribution of Public Laws ;

S. B. 327, bill to amend section 1, chapter 158, Laws of 1874-'75 ;

S. B. 202, bill amending the charter of the Granville Railroad Company ;

S. B. 222, bill to appoint a cotton weigher for the town of Franklinton ;

S. B. 277, bill to provide a roster of North Carolina troops ;

S. B. 145, bill to prohibit the use of Pod or Dutch nets in the waters of the Neuse and Trent rivers and their tributaries ;

S. B. 4, bill to protect diamond-back terrapins in the waters of North Carolina and to regulate the catching of the same ;

S. B. 194, bill to protect clients against fraudulent attorneys;

S. B. 338, bill to amend chapter 84, Laws of 1858-'59, relative to the charter of Catawba College.

The President announced as Senate branch of joint select committee to consider the matter of M. Clements *versus* the State of North Carolina, Messrs. Burwell and Manning.

Mr. Mebane moved to reconsider the vote by which

H. B. 244, S. B. 322, bill to incorporate Swepson's mills passed its third reading on yesterday. The motion prevailed.

On motion of Mr. Mebane, the bill was referred to the committee on Judiciary.

Mr. Mebane moved to reconsider the vote by which H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company passed its third reading on yesterday. The motion prevailed.

On motion of Mr. Mebane, the bill was referred to the committee on Judiciary.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Richardson, S. R. 420, resolution of instruction to the Governor and State Treasurer concerning the interest on the construction bonds of the North Carolina Railroad in the hands of the Treasurer. Placed upon the Calendar.

By Mr. Hanes: S. B. 421, bill for the restoration of persons convicted of felony to the rights of citizenship. Referred to the committee on Judiciary.

By Mr. Williamson of Davie: S. B. 422, bill to amend chapter 287, Laws of 1876-'77, entitled "An act to allot and distribute the judicial powers of the State." Referred to the committee on Judiciary.

By Mr. Dortch: S. B. 423, bill to incorporate the North

Carolina Pharmaceutical Association. Referred to the committee on Corporations.

By Mr. Spears: S. B. 426, bill to prohibit the sale of spirituous, malt or wine liquors within two miles of Hamlet Baptist church in Richmond county. Referred to the committee on Prohibition.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 100, bill to amend the law of attachments, on its third reading.

On motion of Mr. Stowe, the bill was postponed until Thursday, 10th inst., made the special order for 12 M., and ordered printed.

S. B. 376, bill to amend chapter 48, Battle's Revisal, declaring a four-foot fence in Pamlico county, on its second reading.

Mr. Battle moved to lay on the table. Lost.

Bill then passed its several readings, and was ordered engrossed.

S. B. 385, bill to encourage the colleges of the State in establishing libraries, passed its several readings, and was ordered engrossed.

Resolution to amend Senate Rule 33 was adopted, a majority of all the Senators voting therefor.

H. B. 403, S. B. 398, bill to prevent the felling of trees in Snow creek in the county of Stokes, passed its several readings, and was ordered enrolled.

S. B. 266, bill to amend chapter 200, Laws of 1879, passed its several readings, and was ordered engrossed.

S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal, was, on motion, laid on the table.

S. B. 290, bill to amend section 177, Code of Civil Procedure, passed its several readings, and was ordered engrossed.

H. R. 84, S. R. 325, resolution of inquiry to the Supreme Court, was, on motion, laid on the table.

S. B. 347, bill to provide for the erection of a Supreme Court and Library building and a Governor's residence, on its second reading.

Amendments reported by the committee on Public Buildings and Grounds, were adopted.

On motion of Mr. Richardson, the bill was postponed until Friday, 11th inst., at 12 M., made the special order for that hour, and ordered printed.

H. B. 165, S. B. 344, bill to authorize the commissioners of Lincoln county to condemn lands for fence-ways, on its second reading.

Mr. Finger moved to amend :

Insert after the word "Lincoln," in the first section, the words "Catawba, Gaston, Cleveland, Iredell, or Randolph." Adopted.

Bill then passed it several readings, and the amendment was ordered engrossed.

S. B. 372, bill to authorize the commissioners of Mitchell county to levy a special tax, passed its second reading, ayes 32, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Respass, Richardson, Spruill, Stowe, Tucker, Williamson of Davie and Wynne—32.

In the negative, Mr. Spears—1.

H. B. 274, S. B. 377, bill to regulate practice on appeals in criminal actions from justices of the peace, on its second reading.

Mr. Parish moved to amend: Add the following:

“ *Provided*, That if the solicitor should make any material change in the warrant or complaint, the defendant shall be entitled to a continuance upon such terms as the court may direct.”

On motion of Mr. Richardson, the bill, with amendment, was recommitted to the committee on Judiciary.

H. B. 336, S. B. 381, bill concerning the records of certain land grants, passed its several readings, and was ordered enrolled.

H. B. 297, S. B. 382, bill to prevent the felling of timber in Trent river in Jones county, on its second reading.

The amendment reported by the committee on Propositions and Grievances was adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

S. R. 420, resolution of instruction to the Governor and State Treasurer concerning the interest on the construction bonds of the North Carolina Railroad, in the hands of the Treasurer, passed its several readings and was ordered engrossed.

S. B. 384, bill to amend section 1, chapter 186, Laws of 1879, was, on motion, laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 59, S. B. 424, bill to pay Lewis Hilliard and Thomas J. Wilson for services as Judges of the Superior Courts. Referred to the committee on Finance.

Also transmitting a message from his Excellency the Governor, with accompanying correspondence relative to the North Carolina dead at Winchester, Va., with a proposi-

tion to print. The proposition to print was concurred in. Also announcing the refusal of the House to pass S. B. 97, H. B. 302, bill to punish the stealing of dead bodies.

The Calendar was resumed.

S. B. 154, bill to amend subdivision 2, section 4, chapter 37, Battle's Revisal, on its second reading.

Question recurred upon the substitute offered by Mr. Dortch.

Pending consideration,

On motion of Mr. Davidson, the Senate adjourned.

THIRTY-FIRST DAY.

SENATE CHAMBER, February 9th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Hampton: Petition of citizens of Dobson, Surry county, asking for a prohibitory liquor law. Referred to the committee on Prohibition.

Petition from citizens of Yadkin to pass a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Stowe: Petition of citizens of Union church in Gaston county. Referred to the committee on Prohibition.

By Mr. Glenn: Petition from citizens of Forsyth county in regard to the no-fence law. Referred to the committee on Propositions and Grievances.

By Mr. Williamson of Davie: Petitions from citizens of Davie asking for prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: S. B. 373, bill to allow the commissioners of Rutherford county to issue bonds, recommending it do pass.

H. R. 89, S. R. 363, resolution requesting our Senators and Representatives in Congress to use their influence to repeal the tax upon snuff, tobacco, &c., and on brandies distilled from fruits, recommending it do pass.

By Mr. Burwell: S. R. 155, resolution of instruction to the committee on Finance to inquire into the propriety of taxing persons engaged in the business of employing laborers to go beyond the limits of the State, reporting it without recommendation, and asking to be discharged from its further consideration.

S. B. 403, bill to authorize the commissioners of Cabarrus county to levy a special tax, reporting a substitute, and recommending the substitute do pass.

By Mr. Manning: H. B. 326, S. B. 379, bill to authorize the mayor and commissioners of Marion in McDowell county' to collect arrears of taxes, recommending it do pass.

H. B. 233, S. B. 335, bill to give the county commissioners of Pasquotank county the power to levy a special tax, reporting an amendment, and as amended recommending it do pass.

From the committee on Corporations:

By Mr. Stowe: H. B. 368, S. B. 410, bill to incorporate the town of Webster in Jackson county, recommending it do pass.

By Mr. Lockhart: S. B. 369, bill to amend the charter of the city of Charlotte, recommending it do pass.

S. B. 199, bill to incorporate the Jonesboro High School, reporting an amendment, and recommending it do pass.

H. B. 402, S. B. 399, bill to amend section 1, chapter 25, Private Laws of 1879, recommending it do pass.

By Mr. Faison: H. B. 452, S. B. 395, bill to change the name of Davidson river township in Transylvania county, to that of Brevard township, recommending it do not pass.

By Mr. Scott of Rockingham: S. B. 389, bill to incorporate Spring Shoal Manufacturing Company, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Harper: S. B. 406, bill to incorporate the Grand Lodge of Knights of Honor of North Carolina and subordinate lodges working under the jurisdiction of said Grand Lodge, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 365, bill concerning inspection and inspectors of the city of Wilmington, recommending it do not pass.

S. B. 179, bill in regard to the inspection of timber, naval stores, &c., in the city of Wilmington, recommending it do not pass.

S. B. 332, bill concerning inspection and inspectors in the city of Wilmington, recommending it do not pass.

By Mr. Glenn: H. B. 303, S. B. 411, bill to prevent live stock running at large in the county of New Hanover, recommending it do not pass.

From the committee on Judiciary:

By Mr. Scott of Rockingham: S. B. 349, bill in regard to costs in criminal proceedings, reporting an amendment, and, as amended, recommending it do pass.

S. B. 38, bill to amend Battle's Revisal, section 22, chapter 105, in relation to fees of constables, with amendment, recommending the original bill do pass.

From the committee on Internal Improvements:

By Mr. Finger: H. B. 207, S. B. 362, bill to amend chapter 30, Laws of 1880, entitled "an act to amend chapter 82, Laws of 1879," entitled "an act to provide keeping in repair the public roads of this State," recommending its reference to the committee on Propositions and Grievances. It was so referred.

By Mr. Burwell: S. B. 213, bill to amend "an act to incorporate the Oxford and Henderson Railroad Company," ratified 25th March, 1871, reporting amendments, and, as amended, recommending it do pass.

By Mr. Staples: S. B. 16, bill to amend the constitution of North Carolina in relation to taxation, reporting it back without recommendation.

From the committee on Engrossed Bills:

By Mr. Carr as properly engrossed:

S. B. 247, bill to incorporate the Clarendon Waterworks Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Williamson of Edgecombe: S. B. 428, bill to prevent the whipping of convicts. Referred to the committee on Penal Institutions.

S. B. 429, (by request) bill to repeal sections 1, 2, 3, 4, 6 and 7, chapter 142, Laws of 1879. Referred to the committee on Judiciary.

By Mr. Newsom: S. B. 430, bill to donate an acre of State land to Shaw University for the purpose of erecting a colored medical college, with petition. Placed on the Calendar.

By Mr. Burwell: S. B. 431, bill to incorporate the Charlotte City Waterworks Company. Referred to the committee on Corporations.

By Mr. Clarke: S. B. 433, bill to authorize guardians and

trustees to invest in State bonds. Referred to the committee on Finance.

S. B. 434, bill to incorporate the Newbern Cotton and Grain Exchange. Referred to the committee on Corporations.

By Mr. Burwell, S. B. 435, bill to incorporate the Paper and Pulp Works. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that body in Senate amendments to

H. B. 34, S. B. 256, bill relating to the roads and highways in the counties of Mecklenburg, Forsyth and Stokes, and had ordered the same enrolled for ratification.

Also transmitting engrossed

H. B. 405, S. B. 432, bill to restore to the common school fund the money expended for support of the normal schools. Referred to the committee on Education.

Also, engrossed House amendment to

S. B. 327, H. B. 566, bill to amend section 1, chapter 158, Laws of 1874-'75.

On motion, the amendment was concurred in, and the bill was ordered enrolled for ratification.

Also a message asking the recall of House amendments to

S. B. 50, H. B. 355, bill to amend chapter 135, Laws of 1879, so that Catawba county may be included in its provisions for purposes of correction.

On motion, the bill was ordered returned.

Mr. Parish moved to reconsider the vote by which

S. B. 333, bill to reduce the price of the Laws and Supreme Court Reports, passed its third reading on yesterday. The motion prevailed.

Question recurring upon the passage of the bill its third reading,

Mr. Parish moved to amend :

By striking out all in section one of said bill in relation to half-bound copies of the Laws of the State.

The amendment was adopted, the bill passed its third reading and was ordered engrossed.

UNFINISHED BUSINESS.

S. B. 154, bill to amend subdivision 2, section 4, chapter 37, Battle's Revisal, was taken up on its second reading, it being the unfinished business of yesterday.

Question recurring on the substitute offered by Mr. Dortch,

Mr. Dortch moved to lay the bill upon the table, upon which

Mr. Clarke demanded the ayes and noes, which were ordered, and the motion was lost, ayes 17, noes 19, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Davidson, Dickey, Dortch, Faison, Glenn, Hampton, Jones, Merritt, Parish, Richardson, Scott of Rockingham, Spears and Staples—17.

Those voting in the negative were

Messrs. Bernard, Carr, Clarke, Cuningham, Finger, Foil, Harper, Jenkins, Lockhart, Manning, Newsom, Pridgen, Scott of New Hanover, Spruill, Stowe, Tucker, Whitaker, Williamson of Edgecombe and Wynne—19.

Mr. Davidson demanded the previous question.

Mr. Glenn gave notice of a substitute.

Mr. Dortch gave notice of an amendment.

The demand for the previous question was sustained.

On the adoption of the substitute offered by Mr. Dortch,

Mr. Whitaker demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 12, noes 25, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Davidson, Dickey, Dortch,

Faison, Hampton, Jones, Manning, Spruill and Staples—12.

Those voting in the negative were

Messrs. Bernard, Carr, Carter, Clarke, Cuninghame, Finger, Foil, Glenn, Harper, Jenkins, King, Lockhart, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Stowe, Tucker, Whitaker, Williamson of Edgecombe and Wynne—25.

Mr. Glenn offered a substitute, on which

Mr. Whitaker demanded the ayes and noes, which were ordered, and the substitute was adopted, ayes 20, noes 17, follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Davidson, Dickey, Dortch, Faison, Finger, Glenn, Hampton, Jones, Manning, Merritt, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill and Staples—20.

Those voting in the negative were

Messrs. Bernard, Clarke, Cuninghame, Foil, Harper, Jenkins, King, Lockhart, Newsom, Parish, Pridgen, Spears, Stowe, Tucker, Whitaker, Williamson of Edgecombe and Wynne—17.

Mr. Dortch offered the following amendment: Add as an additional section, "It shall be sufficient ground for divorce from the bonds of matrimony if either the husband or wife shall wilfully abandon the other and remain beyond the limits of the State continuously for a period of five years."

Upon which

Mr. Lockhart demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 18, noes 19, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Glenn, Hampton, Jenkins, Jones, King, Merritt, Respass, Scott of Rockingham, Staples and Stowe—18.

Those voting in the negative were

Messrs. Bernard, Burwell, Carr, Clarke, Davidson, Harper,

Lockhart, Manning, Newsom, Parish, Pridgen, Richardson, Scott of New Hanover, Spears, Spruill, Tucker, Whitaker, Williamson of Edgecombe and Wynne—19.

Question recurring upon the passage of the bill its second reading, the ayes and noes were demanded, and ordered, and the bill passed its second reading, ayes 22, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Bernard, Blue, Carr, Carter, Clarke, Cuninghame, Finger, Foil, Glenn, Jenkins, King, Lockhart, Merritt, Newsom, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Whitaker and Wynne—22.

Those voting in the negative were

Messrs. Battle, Burwell, Davidson, Dickey, Dortch, Faison, Hampton, Harper, Jones, Manning, Parish, Respass, Spears, Spruill, Staples and Williamson of Edgecombe—16.

On motion of Mr. Dortch, the rules were suspended, the bill was put upon its third reading and passed, and ordered engrossed.

Mr. Whitaker moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion of Mr. Bernard, the rules were suspended and

S. B. 141, bill to create a new county to be called Vance, was taken up on its second reading, and on his further motion it was postponed until to-morrow at 12 M. and made the special order for that hour.

On motion of Mr. Bernard,

S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal, was taken from the table and placed upon the Calendar.

Mr. Manning moved to adjourn. Lost.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 326, bill to provide for summoning witnesses from

other counties on trials before justices of the peace was, on motion, laid on the table.

S. B. 391, bill to authorize the clerk of the Supreme Court to furnish copies of opinions of the Supreme Court to the Judges of the Superior Courts, passed its several readings and was ordered engrossed.

S. B. 368, bill to prevent judges of the inferior courts from practicing as attorneys at law was, on motion, laid on the table.

H. B. 110, S. B. 397, bill to make it a misdemeanor to kill neat cattle in the range in Bertie county, &c., &c., passed its several readings and was ordered enrolled.

S. B. 409, bill to amend section 41, Code of Civil Procedure, as brought forward in chapter 17, Battle's Revisal, passed its several readings and was ordered engrossed.

S. B. 408, bill in relation to lost certificates of stock in corporations, passed its several readings and was ordered engrossed.

On motion, the Senate adjourned.

THIRTY-SECOND DAY.

SENATE CHAMBER, February 10th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Bernard until next Wednesday, Mr. Hanes indefinitely.

Mr. Williamson of Davie was announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Jones: Petition of citizens of Richland township, Onslow county, for appointment of justices of the peace. Referred to the committee on Justices of the Peace.

Petitions were submitted by

Messrs. Hampton, Parish, Harper, Lockhart, Finger and York, relative to prohibition of the sale of liquor, which were referred to the committee on Prohibition.

By Mr. York: Petition of citizens of Iredell county relative to the fees of sheriffs. Referred to the committee on Salaries and Fees.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Parish: S. B. 60, bill to amend chapter 27, Battle's Revisal, recommending it do pass.

By Mr. Dortch: S. B. 165, bill to amend the constitution in relation to suffrage, recommending it do not pass.

By Mr. Tucker: S. B. 28, bill to change the rules for taking depositions and to amend section 343, chapter 17, Battle's Revisal, reporting an amendment, and as amended, recommending it do pass.

By Mr. Davidson: S. B. 39, bill to amend the constitution of North Carolina in relation to the election and terms of Senators, recommending the adoption of the amendment reported by the committee on Judiciary, and the passage of the bill.

From the committee on Finance:

By Mr. Burwell: H. B. 337, S. B. 356, bill to authorize the commissioners of Wilkes county to levy a special tax, recommending it do pass.

By Mr. Richardson: H. B. 82, S. B. 233, bill for the relief

of sheriffs and tax collectors in this State, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Spears, as properly engrossed :

S. B. 330, bill to incorporate Shiloh Academy of Davidson county.

S. B. 329, bill to allow the county commissioners of Pitt county to appoint two cotton weighers for the town of Greenville.

S. B. 191, bill to incorporate the Board of Trade of Newbern, N. C.

S. B. 307, bill to incorporate Marvin Camp Ground in Caldwell county.

S. B. 305, bill to authorize the treasurer of Pitt county to settle with the sureties of Edward Wilson, late sheriff of said county.

S. B. 244, bill to incorporate the Rutherford, Marion and Tennessee Railroad Company.

S. B. 337, bill to regulate fishing in the waters of Pamlico and Tar rivers.

S. B. 261, bill to incorporate Clarendon Council, No. 67, of the American Legion of Honor.

S. B. 304, bill to secure the better drainage of the low lands on Brushy Fork creek in the county of Davidson.

S. B. 290, bill to amend section 177 of the Code of Civil Procedure.

S. R. 420, resolution of instruction to the Governor and State Treasurer concerning the interest on the construction bonds of the North Carolina Railroad in the hands of the Treasurer.

H. B. 297, S. B. 382, Senate amendment to bill to prevent the felling of timber in Trent river in Jones county.

S. B. 354, bill to incorporate Hanging-dog Baptist church in Cherokee county.

H. B. 165, S. B. 344, Senate amendment to bill authoriz-

ing the commissioners of Lincoln county to condemn lands for fence ways.

S. B. 385, bill to encourage the colleges of the State in establishing Libraries.

S. B. 376, bill to amend chapter 48, Battle's Revisal, declaring a four-foot fence a lawful fence in Pamlico county.

S. B. 266, bill to amend chapter 200 of the Laws of 1879.

S. B. 352, bill to incorporate Cowee Baptist church in Macon county.

S. B. 416, bill to amend section 28, chapter 199 of Public Laws of 1871-'72.

S. B. 288, bill to amend the charter of the town of Winston.

S. B. 333, bill to reduce the price of the Laws and Supreme Court Reports.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Cuninghame : S. B. 436, bill to charter the Danville and New River Railroad. Referred to the committee on Internal Improvements.

By Mr. Respass : S. B. 437, bill to incorporate the town of Yeatesville in Beaufort county. Referred to the committee on Corporations.

By Mr. Dortch : S. B. 438, bill to encourage the investment in the State of foreign capital. Referred to the committee on Internal Improvements, and ordered printed.

By Mr. Finger : S. R. 439, resolution directing the State Treasurer to refund to the commissioners of Catawba county certain moneys paid for the support of insane persons. Referred to the committee on Finance.

By Mr. Merritt : S. B. 440, bill to prohibit the manufacture and sale of spirituous liquors in this State. Referred to the committee on Prohibition, and ordered printed.

S. B. 441, bill to ascertain whether a majority of the electors of the State are in favor of or against the manufacture and sale of spirituous liquors. Referred to the committee on Prohibition, and ordered printed.

By Mr. Harper: S. B. 442, bill to amend an act incorporating the Medical Association of North Carolina. Referred to the committee on Propositions and Grievances.

By Mr. Foil: S. B. 443, bill to authorize clerks of the Superior Courts to order the registration of deeds and other instruments executed to themselves. Referred to the committee on Judiciary.

By Mr. Clarke: S. B. 444, bill to prevent railroad companies from obtaining charters merely for speculative purposes. Referred to the committee on Finance.

S. B. 445, bill to compel all railroads to pay State and county taxes. Referred to the committee on Finance.

S. B. 446, bill to prevent blind legislation. Referred to the committee on Judiciary.

S. B. 447, bill to guard the State against granting improper railroad and mining charters. Referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 282, S. B. 448, bill in relation to sealed weights and measures. Referred to the committee on Finance.

H. B. 59, S. B. 449, bill in relation to the toll gates between Franklin, N. C., and Clayton, Georgia. Referred to the committee on Corporations.

H. B. 290, S. B. 450, bill to repeal chapter 141, Laws of 1879, relative to appeals from inferior courts. Referred to the committee on Judiciary.

H. B. 345, S. B. 451, bill to tax official seals of notaries public in the county of Dare for the benefit of public schools. Referred to the committee on Finance.

H. B. 272, S. B. 452, bill to amend the Laws in relation to the Caldwell and Watauga Turnpike Company. Referred to the committee on Corporations.

H. B. 590, S. B. 453, bill to suspend the operation of an act entitled "an act appointing cotton weighers for the town of Wilson." Placed on the Calendar.

Also announcing the concurrence of that honorable body in Senate amendments to

H. B. 165, S. B. 344, bill to authorize the commissioners of Lincoln county to condemn lands for fence ways; and in Senate amendments to

H. B. 297, S. B. 382, bill to prevent the felling of timber in Trent river in Jones county;

And had ordered the same enrolled for ratification.

Also announcing as House branch of joint committee to consider the claim of M. Clements *versus* the State of North Carolina, Messrs. Rose, Tate and Grainger.

Mr. Respass moved to take from the table.

H. B. 220, S. B. 252, bill to amend section 2, chapter 120, Battle's Revisal, relating to bonds of commissioners of wrecks, and place the same on the Calendar. The motion prevailed.

Mr. Glenn moved to suspend the rules and take up

H. B. 303, S. B. 411, bill to prevent live stock running at large in the county of New Hanover, on its second reading, which prevailed.

On motion of Mr. Glenn, the bill was recommitted to the committee on Propositions and Grievances.

On motion of Mr. Newsom, the rules were suspended and S. B. 430, bill to donate an acre of State land to Shaw University for the purpose of erecting a colored medical college, on its second reading.

On motion of Mr. Parish, the bill with accompanying petition was referred to the committee on Public Buildings and Grounds.

On motion of Mr. Burwell, the rules were suspended, and

S. B. 369, bill to amend the charter of the city of Charlotte was taken up on its second reading, and passed, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Clarke, Cuninghame, Dickey, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Scott of New Hanover, Spears, Spruill, Staples, Stowe, Tucker, Williamson of Edgecombe, Wynne and York—34.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 372, bill to authorize the commissioners of Mitchell county to levy a special tax, passed its third reading, ayes 34, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dickey, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spruill, Stowe, Tucker, Williamson of Edgecombe, Wynne and York—34.

In the negative, Mr. Spears—1.

SPECIAL ORDER.

H. B. 242, S. B. 317, bill to incorporate the Dan Valley and Yadkin River Narrow Gauge Railroad Company, was taken up on its third reading, it being the first special order for this hour.

Mr. Burwell moved to amend. Add to section 1:

“ *Provided*, That nothing herein contained shall be construed so as to exempt from taxation any of the property or franchises of said company.” Adopted.

Bill then passed its third reading, ayes 34, as follows:

Those voting in the affirmative were

Mes:rs. Battle, Bernard, Blue, Burwell, Carr, Carter, Cunningham, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harris, Jenkins, Jones, King, Manning, Mebane, Merritt, Newsom, Pridgen, Respass, Scott of New Hanover, Spears, Spruill, Staples, Stowe, Tucker, Whitaker, Wynne and York—34.

Mr. Cunningham moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 100, bill to amend the law of attachments, being the second special order for to-day, was taken up on its third reading.

On motion, the bill was passed over until to-morrow.

The Calendar was resumed.

S. B. 16, bill to amend the constitution of North Carolina in relation to taxation, on its second reading.

On motion of Mr. Staples, the bill was postponed until Wednesday, 16th inst., at 12 M., and made the special order for that hour.

S. B. 38, bill to amend Battle's Revisal, section 22, chapter 105, in relation to fees of constables, on its second reading.

The pending amendment, offered by Mr. Spears, was lost.

The bill then passed its several readings, and was ordered engrossed.

S. R. 155, resolution of instruction to the committee on Finance, &c., was, on motion, laid on the table.

S. B. 179, bill in regard to the inspection of timber, naval stores, &c., in the city of Wilmington, was, on motion, laid on the table.

S. B. 199, bill to incorporate the Jonesboro High School, on its second reading.

Amendments reported by the committee on Corporations were adopted.

The bill then passed its several readings, and was ordered engrossed.

H. B. 82, S. B. 233, bill for the relief of sheriffs and tax-collectors in this State, passed its several readings, and was ordered enrolled.

H. B. 337, S. B. 356, bill to authorize the commissioners of Wilkes county to levy a special tax, passed its second reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Cuning- ham, Dickey, Dortch, Faison, Finger, Foil, Hampton, Har- per, Jenkins, Jones, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Edgecombe, Wynne and York—30.

S. B. 243, bill to apply all moneys collected from all per- sons failing or refusing to work the public roads in Wilkes county to the better improvement of that section of road from which the money was derived, was, on motion, laid on the table.

On motion of Mr. Tucker,

H. B. 121, S. B. 418, bill to authorize the board of county commissioners of Jones county to order an election in Tren- ton township to submit to the qualified voters the question of license or no license, was withdrawn from the committee on Prohibition and placed on the Calendar.

S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal, was, on motion of Mr. Dortch, recommitted to the committee on Judiciary.

S. B. 141, bill to create a new county to be called Vance, was taken up on its second reading, it being the third special order for to-day.

On motion of Mr. Bernard, it was postponed for to-day.

S. B. 332, bill concerning inspection and inspectors in the city of Wilmington, was, on motion, laid on the table.

H. B. 233, S. B. 335, bill to give the commissioners of Pasquotank county the power to levy a special tax, on its second reading.

Amendment reported by the committee on Finance was adopted.

The bill then passed its second reading, ayes 34, noes 2, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carr, Carter, Clarke, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Wynne and York—34.

In the negative, Messrs. Blue and Spears—2.

S. B. 349, bill in regard to costs in criminal proceedings, on its second reading.

Amendment reported by the committee on Judiciary was adopted.

The bill then passed its several readings and was ordered engrossed.

H. R. 89, S. R. 363, resolution requesting our Senators and Representatives in Congress to use their influence to repeal the tax upon snuff, tobacco and brandies distilled from fruits, passed its several readings and was ordered enrolled.

S. B. 365, bill concerning inspection and inspectors of the city of Wilmington, was, on motion, laid on the table.

S. B. 373, bill to allow the commissioners of Rutherford county to issue bonds, passed its second reading, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Carter, Clarke, Cun-

ingham, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Richardson, Scott of Rockingham, Spears, Spruill, Staples, Stowe, Tucker, Wynne and York—34.

H. B. 326, S. B. 379, bill authorizing the mayor and commissioners of Marion, in McDowell county, to collect arrears of taxes, passed its several readings, and was ordered enrolled.

S. B. 389, bill to incorporate Spring Shoal Manufacturing Company, on its second reading.

Amendment reported by the committee on Corporations was adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 452, S. B. 395, bill to change the name of Davidson River township in Transylvania county to that of Brevard township, was, on motion, laid on the table.

H. B. 402, S. B. 399, bill to amend chapter 25, section 1, Private Laws of 1879, passed its several readings, and was ordered enrolled.

S. B. 406, bill to incorporate the Grand Lodge of Knights of Honor of North Carolina and subordinate lodges working under the jurisdiction of said Grand Lodge, passed its several readings, and was ordered engrossed.

S. B. 403, bill to authorize the commissioners of Cabarrus county to levy a special tax, on its second reading.

The substitute reported by the committee on Finance was adopted.

Bill then passed its second reading, ayes 35, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cuning-
ham, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gud-
ger, Hampton, Harper, Harris, Jenkins, Jones, Manning,
Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Rich-

ardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Edgecombe, Wynne and York—35.

In the negative, Mr. Spears—1.

H. B. 368, S. B. 410, bill to incorporate the town of Webster, in Jackson county, passed its several readings, and was ordered enrolled.

H. B. 340, S. B. 400, bill to prevent the felling of timber or otherwise obstructing the waters of Mill creek in Johnston county, passed its several readings and was ordered enrolled.

H. B. 590, S. B. 453, bill to suspend the operation of an act entitled "an act appointing cotton weighers for the town of Wilson," passed its several readings, and was ordered enrolled.

On motion, the Senate adjourned.

THIRTY-THIRD DAY.

SENATE CHAMBER, February 11th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Leave of absence was granted to Messrs. Richardson and Tucker until Monday; Faison, Lockhart and Gudger until Tuesday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Messrs. Richardson, Jones, Blue, Spruill, Manning, Spears, Fridgen, Stowe, Carr, Harris and Glenn: Petitions

relative to prohibition. Referred to the committee on Prohibition.

On motion of Mr. Merritt, Hon. Clement Dowd, who was in the lobby, was invited to a seat on the floor of the Senate.

The President requested Mr. Merritt to escort the gentleman to a seat.

Mr. Dickey presented

Petition from Mr. Evans and others of Cherokee county. Referred to the committee on Corporations.

Mr. Davidson, by request: Petition from citizens of New Hanover relative to the criminal court. Referred to the committee on the Judiciary.

Mr. Scott of New Hanover: Petition from citizens of New Hanover. Referred to the committee on Judiciary.

Mr. Glenn: Petition of certain citizens of Forsyth county in regard to the no-fence law. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. York: H. B. 72, S. B. 161, bill to amend chapter 244, Laws of 1879, by exempting manufactures on the South Fork of Catawba river, &c., recommending it do pass.

From the committee on Education:

By Mr. Merritt: S. B. 402, bill to make title to State's lands in certain cases, recommending it do pass.

H. B. 185, S. B. 358, bill for the relief of school districts Nos. 10 and 12, of New Salem township, Union county, recommending it do pass.

H. B. 405, S. B. 432, bill to restore to the common school fund the money expended for the support of normal schools, recommending it do pass.

From the committee on Corporations:

By Mr. Lockhart: S. B. 390, bill to incorporate the French

Broad Steamboat Company, reporting an amendment, and as amended recommending it do pass.

H. B. 341, S. B. 357, bill to amend the charter of the town of Carthage, recommending it do pass.

From the committee on Internal Improvements :

By Mr. Staples: S. B. 436, bill to charter the Danville and New River Railroad, recommending it do pass.

From the committee on Penal Institutions :

By Mr. Mebane: H. B. 51, S. B. 255, bill to assign convicts to the Scotland Neck branch of the Wilmington and Weldon Railroad Company, recommending it do pass.

From the committee on Judiciary :

By Mr. Clarke: S. B. 220, bill to regulate the punishment of larceny, when the amount stolen does not exceed five dollars, reporting a substitute, and recommending the substitute do pass.

From the committee on Finance :

By Mr. Richardson: H. B. 198, S. B. 419, bill to authorize the commissioners of Alexander county to levy a special tax, recommending it do pass.

S. R. 439, resolution directing the State Treasurer to refund to the commissioners of Catawba county certain moneys paid for the support of insane persons, recommending it do not pass.

From the committee on Engrossed Bills :

By Mr. Spears: S. B. 224, bill to authorize the North-western North Carolina Railroad to extend its road and build branches thereto ;

S. B. 370, bill to incorporate the Carolina Gold Mining Company ;

S. B. 391, bill to authorize the clerk of the Supreme Court to furnish copies of opinions of the Supreme Court to the Judges of the Superior Courts ;

S. B. 154, bill to amend chapter 37, section 4, Battle's Revisal.

Mr. Carr, from the committee on Enrolled Bills, reported the following acts and resolutions as correctly enrolled :

H. B. 384, an act to authorize the commissioners of Craven county to levy a special tax ;

S. B. 61, H. B. 315, an act to amend chapter 63 of the Acts of 1879 ;

S. B. 81, H. B. 314, an act to amend section 37, chapter 105, Battle's Revisal ;

H. B. 278, S. B. 293, an act to incorporate Tucker's Grove Camp Ground in Lincoln county ;

H. B. 338, S. B. 355½, an act to authorize the commissioners of Graham county to levy a special tax ;

H. B. 230, S. B. 339, an act to incorporate the town of Norwood in the county of Stanly :

S. B. 173, H. B. 441, an act to regulate the mode of enforcing judgments rendered in the Supreme Court of North Carolina ;

H. B. 206, S. B. 254, an act to relieve the citizens of Buncombe county from the operation of a law passed at the Special Session 1880, relating to the driving of cattle west of the Blue Ridge ;

S. B. 88, H. B. 444, an act to insure the annual registration of vital statistics ;

S. B. 110, H. B. 383, an act to amend Battle's Revisal, chapter 17, section 43 ;

H. R. 46, S. R. 318, resolution asking a survey of Oregon Inlet in Dare county, and for the buoying and staking of the same ;

H. B. 86, S. B. 283, an act to regulate the weighing of cotton in the city of Newbern ;

H. B. 38, S. B. 232, an act to amend section 31, Laws of 1868-'69 ;

S. B. 217, H. B. 447, an act to incorporate the Fulton Fire Company of Tarboro, N. C. ;

S. B. 218, H. B. 449, an act to incorporate Tarboro Lodge G. U. Order of Odd-Fellows, (colored) No. 1,821 ;

H. B. 309, S. B. 297, an act to protect fish in the waters of Tyrrell county ;

S. B. 94, H. B. 399, an act to re-enact chapter f Revised Code, entitled Draining and Damming Low Lands;

H. B. 167, S. B. 315, an act to make Dan river in Stokes county a lawful fence ;

S. B. 80, H. B. 319, an act to amend subdivision 7, section 41, chapter 78, Battle's Revisal ;

S. B. 143, H. B. 446, an act to amend chapter 53 of Battle's Revisal ;

S. B. 211, H. B. 367, an act to amend chapter 53 of the Acts of 1876 and 1877 in regard to mechanics' liens ;

H. B. 204, S. B. 340, an act to make Hyco river from Yarborough's mill in the county of Caswell to the Virginia line a lawful fence ;

H. B. 90, S. B. 114, an act to incorporate the Trustees of Concordia College, situated at Conover in Catawba county, North Carolina ;

S. B. 73, H. B. 317, an act to amend chapter 79, Acts of 1879, and to fix the time of Iredell Superior Court ;

H. B. 209, S. B. 235, an act to incorporate the North State Mining Company ;

S. B. 81, H. B. 314, an act to amend section 37, chapter 105, Battle's Revisal ;

S. B. 169, H. B. 267, an act to repeal chapter 293 of the Laws of 1879 ;

H. B. 283, S. B. 314, an act to authorize the county commissioners of Clay county to levy a special tax ;

H. B. 328, S. B. 343, an act to amend an act concerning the appointment of Trustees for Franklin Academy in Macon county ;

S. B. 381, H. B. 326, an act concerning the records of certain land grants ;

H. B. 34, S. B. 256, an act relating to roads and highways in the counties of Stokes, Mecklenburg and Forsyth ;

S. B. 277, H. B. 546, an act to provide for a roster of North Carolina troops ;

H. B. 184, S. B. 324, an act to amend chapter forty-one of the Private Laws of 1879, relative to the beneficial department of Good Samaritans ;

S. B. 61, H. B. 315, an act in reference to restraining orders and the appointment of receivers, and to amend chapter 63 of the Acts of 1879;

H. B. 118, S. B. 247½, an act to amend chapter 8, Laws of Special Session of 1880 ;

S. B. 58, an act to provide for paying jurors summoned to act on inquests over dead bodies ;

H. B. 403, S. B. 398, an act to prevent the felling of trees in Snow creek in Stokes county ;

S. B. 274, H. B. 547, an act to change the time for holding elections on the subject of prohibition in the county of Chatham ;

H. R. 78, S. R. 346, a resolution in favor of the trustees of the Franklin Camp Ground in Macon county ;

H. B. 273, S. B. 300, an act for the benefit of the farmers on Beaverdam and Richlands between the upper and lower Little rivers, Stewart's Creek township, Harnett county ;

S. B. 327, H. B. 566, an act to amend section 1, chapter 158, Laws of 1874-'75, entitled an act concerning applications for prohibition of the sale of spirituous liquors, or repeal of prohibitory laws in the State ;

H. B. 245, S. B. 359, an act to incorporate the town of Rutherford College in Burke county, and to repeal chapter 32, Private Laws of 1871-'72 ;

H. B. 217, S. B. 341, an act to incorporate the trustees of Mount Pleasant Camp Ground in Burke county, to prohibit the sale of liquors thereon ;

H. B. 325, S. B. 342, an act to ascertain and establish the dividing lines between the counties of Jones and Lenoir and the counties of Jones and Craven ;

H. B. 110, S. B. 397, an act making it a misdemeanor for killing neat cattle in the range and not showing head, ears and hide in two days in Bertie county ;

S. B. 156, an act to re-enact section 1, chapter 108, of Battle's Revisal, entitled Statutes, Repeal and Construction of.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Burwell : S. R. 454, resolution to empower the committee on Internal Improvements to administer oaths. Placed upon the Calendar.

By Mr. Glenn : S. R. 455, resolution of inquiry of his Excellency the Governor. Placed on the Calendar.

By Mr. Faison : S. B. 456, bill for raising revenue by taxing dogs. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Foil : S. B. 457, bill in relation to the public roads of Cabarrus county. Referred to the committee on Propositions and Grievances.

S. B. 458, bill to amend chapter 70, Battle's Revisal, entitled "Master and Servant." Referred to the committee on Judiciary.

By Mr. Merritt : S. B. 459, bill to revise and consolidate the public school law, &c. Referred to the committee on Education, and ordered printed.

By Mr. Williamson of Davie : S. B. 460, bill for the better protection of those portions of Rowan county where the stock law prevails. Referred to the committee on Judiciary.

By Mr. Mebane : S. B. 461, bill to amend chapter 82, Laws of 1879, entitled "an act to provide for keeping in repair the public roads of the State," so as to allow compensation for working the roads. Referred to the committee on Propositions and Grievances.

By Mr. Pridgen: S. B. 462, bill to incorporate Cape Fear Lodge No. 1,841, Grand United Order of Odd Fellows, in the town of Smithville, Brunswick county, North Carolina. Referred to the committee on Corporations.

By Mr. Spruill: S. B. 463, bill to fix the punishment for an assault with intent to murder. Referred to the committee on Judiciary.

By Mr. Respass: S. B. 464, bill to regulate pilotage for vessels or schooners owned in the county of Beaufort. Referred to the committee on Propositions and Grievances.

By Mr. York: Resolution relative to the hour of meeting of the Senate. Placed on the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the failure of that body to pass

S. B. 181, H. B. 334, bill to change the time of holding, the Superior Courts in the counties of Johnston and Moore and had laid the same on the table.

Also, transmitting engrossed

H. B. 466, S. B. 465, bill to incorporate Ebenezer Presbyterian church of Newbern. Referred to the committee on Corporations.

H. B. 524, S. B. 466, bill to incorporate the North Carolina, London and Southern Mining and Commercial Company. Referred to the committee on Corporations.

On motion of Mr. Burwell, the rules were suspended, and S. R. 454, resolution to empower the committee on Internal Improvements to administer oaths, &c., was taken up and adopted.

On motion of Mr. Glenn, the rules were suspended, and S. R. 455, resolution of inquiry of his Excellency the Governor, was taken up and adopted.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 369, bill to amend the charter of the city of Charlotte, passed its third reading, ayes 33, noes 2, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Clarke, Cuninghame, Davidson, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Spruill, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe and York—33.

In the negative, Messrs. Carter and Newsom—2.

On motion of Mr. Burwell, the bill was ordered sent to the House without engrossment.

S. B. 403, bill to authorize the commissioners of Cabarrus county to levy a special tax, passed its third reading, ayes 32, noes 3, as follows:

Those voting in the affirmative were

Messrs. Battle, Burwell, Carr, Carter, Clarke, Cuninghame, Davidson, Dever, Dickey, Dortch, Finger, Foil, Hampton, Harper, Jenkins, Jones, King, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe and York—32.

Those voting in the negative were

Messrs. Blue, Scott of New Hanover and Spears—3.

S. B. 100, bill to amend the law of attachments, on its third reading.

Mr. Stowe demanded the ayes and noes.

Mr. Williamson of Edgecombe moved to amend: Strike out section 3; on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 11, noes 23, as follows:

Those voting in the affirmative were

Messrs. Carter, Harper, Jones, Manning, Newsom, Pridgen, Richardson, Stowe, Whitaker, Williamson of Edgecombe and York—11.

Those voting in the negative were

Messrs. Blue, Burwell, Clarke, Cuningham, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, King, Lockhart, Mebane, Parish, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Staples, Tucker, Williamson of Davie and Wynne—23.

Mr. Staples moved to amend:

Insert in line 5, between the words "oath" and "or" the words "before some person in North Carolina authorized to administer oaths." Adopted.

Mr. Richardson moved to amend:

Strike out in section 3 the words "or procure oath to be made by some other person cognizant of the facts." Lost.

The ayes and noes were ordered, and the bill passed its third reading, ayes 26, noes 14, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Carr, Clarke, Cuningham, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, King, Lockhart, Mebane, Merritt, Parish, Scott of Rockingham, Spears, Spruill, Staples, Tucker, Williamson of Davie and Wynne—26.

Those voting in the negative were

Messrs. Carter, Gudger, Harris, Jenkins, Jones, Manning, Newsom, Oates, Pridgen, Richardson, Stowe, Whitaker, Williamson of Edgecombe and York—14.

H. B. 233, S. B. 335, bill to give the commissioners of Pasquotank county the power to levy a special tax, passed its third reading, ayes 32, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Clarke, Cuningham, Dever, Dickey, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Oates, Parish, Pridgen, Scott of Rockingham, Spruill,

Staples, Stowe, Tucker, Williamson of Davie, Wynne and York—32.

In the negative, Mr. Spears—1.

H. B. 337, S. B. 356, bill to authorize the commissioners of Wilkes county to levy a special tax, passed its third reading, ayes 30, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Clarke, Cuninghame, Dever, Dickey, Finger, Foil, Glean, Gudger, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Parish, Pridgen, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie, Wynne and York—30.

In the negative, Mr. Spears—1.

S. B. 373, bill to allow the commissioners of Rutherford county to issue bonds, passed its third reading, ayes 33, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarke, Cuninghame, Dever, Dickey, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Jones, King, Manning, Mebane, Merritt, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Spears, Spruill, Staples, Stowe, Tucker, Williamson of Davie, Wynne and York—33.

S. B. 436, bill to charter the Danville and New River Railroad, passed its second reading, ayes 35, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarké, Cuninghame, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Wynne and York—35.

H. B. 72, S. B. 161, bill to amend chapter 244, Laws of 1879, by exempting manufactures on the South Fork of Catawba river, &c., passed its several readings and was ordered enrolled.

H. B. 198, S. B. 419, bill to authorize the commissioners of Alexander county to levy a special tax, passed its second reading, ayes 32, as follows :

These voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Cuningham, Dever, Dickey, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, King, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Richardson, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—32.

H. B. 405, S. B. 432, bill to restore to the common school fund the money expended for the support of normal schools, passed its several readings, and was ordered enrolled.

H. B. 341, S. B. 357, bill to amend the charter of the town of Carthage, passed its second reading, ayes 26, noes 5, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Cuningham, Dever, Dickey, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Oates, Parish, Pridgen, Respass, Spruill, Staples, Williamson of Davie and York—26.

Those voting in the negative were

Messrs. Carter, King, Newsom, Scott of New Hanover and Wynne—5.

S. B. 402, bill to make title to State's lands in certain cases, passed its several readings and was ordered engrossed.

On motion, the Senate adjourned.

THIRTY-FOURTH DAY.

SENATE CHAMBER, February 12th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Mr. Jones was announced absent, sick.

Leave of absence was granted Mr. Burwell and Mr. Glenn until Tuesday, Mr. Harris for two days.

Mr. Newland was announced detained from his seat on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows :

Petitions relative to prohibition, by Messrs. Finger, Foil, Glenn, Merritt and York, which were referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Fish and Fisheries :

By Mr. York : S. B. 393, bill for the better protection of the fish interests in the Cape Fear river, recommending it do pass.

H. B. 369, S. B. 345, bill to prevent the felling of trees and fishing with hand seines in Falling creek in Wayne county, recommending it do pass.

From the committee on Judiciary :

By Mr. Glenn : H. R. 51, S. R. 386, resolution providing additional clerical assistance for the Secretary of State, recommending it do pass.

By Mr. Spruill : S. B. 279, bill to amend section 25, chap-

ter 104, Battle's Revisal, reporting an amendment, and as amended recommending it do pass.

By Mr. Davidson: H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company; and

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, reporting amendments, and as amended recommending they do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Glenn: S. R. 467, resolution to pay the traveling expenses of the two sub-committees appointed to visit Morganton and Goldsboro Insane Asylums. Placed on the Calendar.

By Mr. York: S. B. 468, bill declaring the public road in Wilkes county between Brush Hill and Air Bellows on top of the Blue Ridge completed. Placed on the Calendar.

By Mr. Spruill: S. B. 469, bill to prevent fraud by insolvent debtors in making assignments of their property. Referred to the committee on Judiciary.

S. B. 470, bill to authorize the commissioners of Washington county to levy a special tax. Referred to the committee on Finance.

S. B. 471, bill for the relief of the sureties of D. A. Walford, late sheriff of Bertie county. Referred to the committee on Propositions and Grievances.

S. B. 472, bill to amend the charter of the town of Plymouth. Referred, with petition, to the committee on Corporations.

By Mr. Foil: S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled Judges of Probate. Referred to the committee on Judiciary.

By Mr. Merritt: S. B. 474, bill to render more efficient

laws regulating the sale of spirituous liquors by the small measure. Referred to the committee on Prohibition.

By Mr. Dever: S. B. 475, bill to protect fish propagation. Referred to the committee on Fish and Fisheries.

By Mr. Stowe: S. B. 476, bill to create a new township out of portions of Dallas and Cherryville townships in Gaston county. Referred to the committee on Propositions and Grievances.

By Mr. York: S. B. 481, bill to incorporate the Ore Knob Copper Company, of Ashe county. Referred to the committee on Corporations.

S. B. 482, bill to incorporate the Conrad Hill Gold and Copper Company of Davidson county, North Carolina. Referred to the committee on Corporations.

On motion of Mr. York, the rules were suspended, and

S. B. 468, bill declaring the public road in Wilkes county between Brush Hill and the Air Bellows on top of the Blue Ridge completed, was taken up, passed its several readings, and was ordered engrossed.

THE CALENDAR.

On motion of Mr. Davidson, the Calendar was placed under the control of the President for to-day.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

H. B. 341, S. B. 357, bill to amend the charter of the town of Carthage, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Cuninghame, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Williamson of Davie, Wynne and York—30.

H. B. 198, S. B. 419, bill to authorize the commissioners

of Alexander county to levy a special tax, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carter, Clarke, Cuningham, Davidson, Dever, Dickey, Finger, Foil, Glenn, Hampton, Harper, Jenkins, King, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Williamson of Davie, Wynne and York—30.

S. B. 436, bill to charter the Danville and New River Railroad, passed its third reading, ayes 29, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Clarke, Cuningham, Davidson, Dever, Dickey, Dortch, Finger, Foil, Glenn, Hampton, Harper, Jenkins, King, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Scott of Rockingham, Spruill, Stowe, Williamson of Davie and Wynne—29.

S. B. 39, bill to amend the constitution of North Carolina in relation to the election and terms of Senators, on its second reading.

On motion of Mr. Staples, it was postponed until Tuesday, 15th inst., at 12 M., and made the special order for that hour.

S. B. 60, bill to amend chapter 27, Battle's Revisal, passed its several readings, and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham.

On motion of Mr. Parish, it was referred to the committee on Corporations.

H. B. 163, S. B. 478, bill to regulate official advertising. Referred to the committee on Judiciary.

H. B. 130, S. B. 479, bill for the better security of probate of deeds and other conveyances. Referred to the committee on Judiciary.

H. B. 101, S. B. 480, bill to prohibit the sale of spirituous liquors in Mount Airy, Surry county. Placed on the Calendar.

Engrossed House amendments to

S. B. 50, H. B. 355, bill to amend chapter 135, Laws of 1879, so that Catawba and other counties may be included in its provisions.

The amendments were concurred in, and the bill ordered enrolled.

Also announcing the concurrence of that honorable body in Senate proposition to increase the joint committee on Apportionment, and had appointed as additional members of the House branch, Messrs. Day, Rowland, Glenn of Rockingham, Cooper and Lineback.

The President announced as additional members of Senate branch of said committee, Messrs. Staples, Dortch and Stowe.

Also, announcing the failure of that body to pass

S. B. 145, H. B. 548, bill to prohibit the use of Pod and Dutch nets in the waters of the Neuse and Trent rivers and their tributaries.

The Calendar was resumed.

S. B. 347, bill to provide for the erection of a Supreme Court and Library building and Governor's residence, was taken up.

On motion, it was postponed until Thursday, 17th inst., at 12 o'clock M., and made the special order for that hour.

S. B. 213, bill to amend an act to incorporate the Oxford and Henderson Railroad Company, ratified 25th March 1871, on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

On motion of Mr. Whitaker, the bill was ordered printed

S. B. 320, bill to regulate the punishment of larceny when the amount stolen does not exceed five dollars, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 220, S. B. 252, bill to amend section 2, chapter 120, Battle's Revisal, relating to the official bonds of commissioners of wrecks, passed its several readings, and was ordered enrolled.

H. B. 51, S. B. 255, bill to assign convicts to the Scotland Neck branch of the Wilmington and Weldon Railroad Company; passed its second reading, and was put upon its third reading.

Mr. Staples moved to amend :

Insert: " *Provided*, That the provisions of this act shall not be construed so as to diminish the number of convicts furnished such railroads or public works in which the State has an interest."

On which

Mr. Staples demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 24, as follows :

Those voting in the affirmative were

Messrs. Blue, Davidson, Dever, Finger, Glenn, Gudger, Hampton, Scott of Rockingham, Spears, Staples, Williamson of Davie, Wynne and York—13.

Those voting in the negative were

Messrs. Battle, Carr, Carter, Clarke, Cuninghame, Dickey, Dortch, Foil, Harper, Harris, Jenkins, King, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Spruill, Stowe, Whitaker and Williamson of Edgecombe—24.

Bill then passed its third reading, and was ordered enrolled.

Mr. Clarke moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 279, bill to amend section 25, chapter 104, Battle's Revisal, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company, and

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, with pending amendments, were,

On motion of Mr. Mebane, recommitted to the committee on Judiciary.

H. B. 369, S. B. 345, bill to prevent the felling of trees and fishing with hand seines in Falling creek in Wayne county, passed its several readings and was ordered enrolled.

H. B. 185, S. B. 358, bill for the relief of school districts Numbers 10 and 12, of New Salem township, Union county, passed its several readings and was ordered enrolled.

H. R. 51, S. R. 386, resolution providing additional clerical assistance for the Secretary of State, on its second reading.

Mr. Cuninghame demanded the previous question, which was sustained.

On the passage of the resolution on its second reading,

Mr. Clarke demanded the ayes and noes, which were ordered, and it passed, ayes 18, noes 13, as follows :

Those voting in the affirmative were

Messrs. Battle, Carr, Carter, Cuninghame, Davidson, Dever, Dickey, Finger, Glenn, Gudger, Harris, Merritt, Oates, Respass, Spears, Staples, Stowe and York—18.

Those voting in the negative were

Messrs. Blue, Clarke, Hampton, Harper, Jenkins, Mebane, Newsom, Pridgen, Scott of New Hanover, Scott of Rockingham, Spruill, Williamson of Edgecombe and Wynne—13.

The rules were suspended, the resolution passed its third reading, and was ordered enrolled.

Mr. Cuninghame moved to reconsider the vote by which the resolution passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion, the Senate adjourned.

THIRTY-FIFTH DAY.

SENATE CHAMBER, February 14th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Messrs. Battle, Carter, Clarke, Gudger, Hampton, Jenkins, Merritt, Newland, Oates, Scott of New Hanover, Williamson of Davie, Wynne and York: Petitions relative to prohibition. Referred to the committee on Prohibition.

By Mr. Cuninghame: Petition of citizens of Caswell, relative to fees of sheriffs. Referred to committee on Salaries and Fees.

By Mr. Manning: Petition of citizens of Hertford, relative to fees of sheriffs. Referred to the committee on Salaries and Fees.

By Mr. Jones: Petition of citizens of Stump Sound town-

ship, Onslow county, asking the appointment of justices of the peace. Referred to the committee on Justices of the Peace.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Corporations:

By Mr. Scott of Rockingham: S. B. 481, bill to incorporate the Ore Knob Copper Company of Ashe county, North Carolina, recommending it do pass.

S. B. 482, bill to incorporate the Conrad Hill Gold and Copper Company of Davidson county, N. C., recommending it do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Davidson: S. B. 483, bill to amend an act to establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of sheep husbandry. Referred to the committee on Judiciary.

By Mr. Spruill: S. B. 484, bill to protect fishing interests of Albemarle Sound. Referred to the committee on Fish and Fisheries.

By Mr. Scott of Rockingham, (by request): S. B. 485, bill to amend chapter 34, section 1, Laws of 1873-'74. Referred to the committee on Judiciary.

By Mr. Hampton: S. B. 486, bill to authorize the county commissioners of Surry county to levy a special tax. Referred to the committee on Finance.

By Mr. Williamson of Davie: S. B. 487, bill to amend chapter 85, Private Laws of 1872-'73. Referred to the committee on Prohibition.

By Mr. Williamson of Edgecombe: S. B. 488, bill to in-

corporate Mount Lebanon Lodge, No. 25, Free and Accepted Masons, of Tarboro, N. C. Referred to the committee on Corporations.

By Mr. Finger: S. B. 489, bill to amend the public road law. Referred to the committee on Propositions and Grievances.

Mr. McMillan, Senator elect from the 35th District, was announced present. He presented himself, took the oath of office, and was seated.

CALENDAR.

On motion of Mr. Cuninghame, the Calendar was placed under the control of the President for to-day.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 390, bill to incorporate the French Broad Steamboat Company, on its second reading.

The amendment reported by the committee on Corporations was adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 393, bill for the better protection of the fish interest in the Cape Fear river, on its second reading.

Mr. Respass moved to amend: Strike out the words "10th day of April," and insert "1st day of May." Adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 121, S. B. 418, bill to authorize the board of county commissioners of Jones county to order an election in Trenton township to submit to the qualified voters the question of license or no license, passed its several readings and was ordered enrolled.

Mr. King moved to reconsider the vote by which the bill passed its third reading; and moved to lay that motion on the table.

The latter motion prevailed.

Senate resolution relative to the hour for the daily session of the Senate, was, on motion, laid on the table.

S. R. 467, resolution to pay the travelling expenses of the two sub-committees appointed to visit Morganton and Goldsboro Insane Asylums, passed its several readings and was ordered engrossed.

H. B. 101, S. B. 480, bill to prohibit the sale of spirituous liquors in Mount Airy, Surry county, passed its several readings and was ordered enrolled.

S. B. 481, bill to incorporate the Ore Knob Copper Company of Ashe county, N. C., passed its several readings and was ordered engrossed.

S. B. 482, bill to incorporate the Conrad Hill Gold and Copper Company of Davidson county, N. C., passed its several readings and was ordered engrossed.

On motion, the Senate adjourned.

THIRTY-SIXTH DAY.

SENATE CHAMBER, February 15th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Mr. McMillan was announced absent, sick.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Richardson: Petition from certain citizens of Bladen county, asking for the establishment of a new town-

ship. Referred to the committee on Propositions and Grievances.

Petition of certain citizens of Bladen county asking the appointment of C. McG. Dunn, a justice of the peace. Referred to the committee on Justices of the Peace.

By Mr. Finger: Petition of Catawba county for relief. Referred to the committee on Propositions and Grievances.

By Mr. Parish: Petition from citizens of the portion of Orange county proposed to be incorporated into "Durham county," against said incorporation. Referred to the committee on Corporations.

Protest from the commissioners of Orange county against the county of Durham. Referred to the committee on Corporations.

By Messrs. Battle, Blue, Carr, Cuninghame, Dortch, Finger, Foil, Gudger, Manning, Newland, Newsom, Scott of Rockingham, Spears, Staples and Stowe: Petitions relative to prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Williamson of Davie: S. B. 460, bill for the better protection of those portions of Rowan county where the stock law prevails, reporting amendments, and, as amended, recommending it do pass.

H. B. 274, S. B. 377, bill to regulate practice on appeals in criminal actions from justices of the peace, reporting an amendment, and, as amended, recommending it do pass.

S. B. 272, bill to enable the courts to complete the trial of causes in progress, reporting a substitute, and recommending the substitute do pass.

S. B. 23, bill to secure the better drainage of the low

lands in North Carolina, reporting amendments, and, as amended, recommending it do pass.

By Mr. Davidsen: H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, reporting an amendment, and, as amended, recommending it do pass.

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company, reporting an amendment, and, as amended, recommending it do pass.

S. B. 483, bill to amend an "act to establish a department of Agriculture, Immigration and Statistics and for the encouragement of sheep husbandry," recommending it do pass.

S. B. 57, bill for the better protection of partridges; and

S. B. 79, bill to amend chapter 195, Laws of 1874-'75, for the better protection of partridges and other birds; and

S. B. 113, bill to prevent the destruction of quail in North Carolina; and

H. B. 147, S. B. 248, bill to amend section 1, chapter 195, Laws of 1874-'75, known as an act for the protection of birds in certain counties; and

H. B. 296, S. B. 316, bill to protect partridges in the county of Wake; and

H. B. 88, S. B. 259, bill to protect game in Iredell, Alexander, Henderson and other counties in this State; reporting

S. B. 525, bill for the protection of partridges and certain other birds in North Carolina, as a substitute, and recommending the substitute do pass.

S. B. 72, bill to require the registration of deeds, reporting a substitute, and recommending the substitute do pass.

By Mr. Spruill: S. B. 463, bill to fix the punishment for an assault with intent to murder, recommending it do pass.

H. B. 290, S. B. 450, bill to repeal chapter 141, Laws of 1879, relative to appeals from the inferior courts, recommending it do not pass.

By Mr. Parish: S. B. 458, bill to amend chapter 70, Bat-

tle's Revisal, entitled "master and servant," reporting an amendment, and, as amended, recommending it do pass.

By Mr. Dortch: S. B. 422, bill to amend chapter 287, Laws of 1876-'77, entitled an act to allot and distribute the judicial powers of the State, recommending it do not pass.

By Mr. Clarke: S. B. 443, bill to authorize clerks of superior courts to order the registration of deeds and other instruments executed to themselves, recommending it do pass.

S. B. 447, bill to guard the State against granting improper railroad and mining charters, reporting a substitute, and recommending the substitute do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 464, bill to regulate pilotage for vessels or schooners owned in the county of Beaufort, recommending it do pass.

By Mr. Parish: S. B. 471, bill for the relief of the sureties of D. A. Walford, late sheriff of Bertie county, reporting an amendment and as amended recommending it do pass.

From the committee on Salaries and Fees:

By Mr. Oates: S. B. 415, bill to authorize the employment of a clerk in the Executive Department, recommending it do pass.

From the committee on Finance:

By Mr. Richardson: S. B. 470, bill to authorize the commissioners of Washington county to levy a special tax, recommending it do pass.

By Mr. Manning: S. B. 486, bill to authorize the commissioners of Surry county to levy a special tax, recommending it do pass.

Mr. Spears, for the committee on Engrossed Bills, reported as properly engrossed:

S. B. 38, bill to amend Battle's Revisal, section 22, chapter 105, in relation to fees of constables;

S. B. 349, bill in regard to costs in criminal proceedings;

S. B. 468, bill declaring the public road in Wilkes county, between Brush Hill and Air Bellows on the top of the Blue Ridge completed;

S. B. 372, bill to authorize the county commissioners of Mitchell county to levy a special tax ;

H. B. 241, S. B. 323, Senate amendment to bill to incorporate Big Falls Manufacturing Company ;

H. B. 244, S. B. 322, Senate amendment to bill to incorporate Swepson's Mills.

- BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Williamson of Edgecombe: S. B. 490, bill to amend chapter 17, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Whitaker: S. B. 491, bill to authorize the commissioners of Warren county to levy a special tax. Referred to the committee on Finance.

By Mr. Dever: S. B. 492, bill to incorporate the Atlantic and French Broad Valley Railway Company. Referred to the committee on Corporations.

By Mr. Scott of New Hanover: S. B. 493, bill for the better protection of farmers and fishermen. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Dortch: S. B. 494, bill to change the times of holding the superior courts of Jones, Onslow, Wayne and Carteret counties. Placed upon the Calendar.

By Mr. York: S. B. 495, bill to prevent the sale of spirituous liquors within one mile of Trap Hill Academy in Wilkes county. Placed upon the Calendar.

S. B. 496, bill to prohibit the sale of spirituous or malt liquors within three miles of Conrad Hill Mines in Davidson county. Placed on the Calendar.

By Mr. Dickey: S. B. 497, bill to incorporate Snow Hill church in Cherokee county. Referred to the committee on Corporations.

By Mr. Burwell, (by request): S. B. 498, bill to amend

sub-section 1, section 31, chapter 17, Battle's Revisal. Referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 470, S. B. 499, bill to empower county surveyors and their deputies to administer oaths in certain cases. Referred to the committee on the Judiciary.

H. B. 150, S. B. 500, bill to amend section 10, chapter 83, Battle's Revisal. Referred to the committee on Fish and Fisheries.

H. B. 289½, S. B. 501, bill to amend section 9, chapter 7, Battle's Revisal. Referred to the committee on Judiciary.

H. B. 469, S. B. 502, bill to repeal chapter 142, Laws of 1879. Referred to the committee on Judiciary.

H. B. 303, S. B. 503, bill to amend Battle's Revisal, chapter 41, section 10, lines 3 and 4. Referred to the committee on Corporations.

H. B. 302, S. B. 504, bill to prohibit the sale of ardent spirits to minors. Referred to the committee on Propositions and Grievances.

H. B. 475, S. B. 505, bill to incorporate the town of Sidney in the county of Columbus. Referred to the committee on Corporations.

H. B. 623, S. B. 506, bill to provide for the support of the Deaf, Dumb and Blind Asylum. Placed on the Calendar.

H. B. 252, S. B. 507, bill in relation to the fraudulent disposition of certain public documents. Referred to the committee on Library.

H. B. 508, S. B. 508, bill to authorize the construction of a turnpike from Black Mountain to Green Pond in Yancey county in this State. Referred to the committee on Corporations.

H. B. 467, S. B. 509, bill to amend the charter of the city of Raleigh. Referred to the committee on Corporations.

H. B. 162, S. B. 510, bill to amend section 1, chapter 40, Laws of 1874-'75. Referred to the committee on Judiciary.

H. B. 498, S. B. 511, bill requiring county commissioners to hold their sessions in the court room of the court house. Referred to the committee on Judiciary.

H. R. 103, S. R. 512, resolution asking our Senators and Representatives in Congress to use their influence to obtain an appropriation to clean out Little river. Referred to the committee on Propositions and Grievances.

H. B. 187, S. B. 513, bill to amend chapter 62, Laws of 1880. Referred to the committee on Propositions and Grievances.

H. B. 349, S. B. 514, bill to amend section 1, chapter 242, Laws of 1879, an act to drain certain lands in Lincoln county. Referred to the committee on Propositions and Grievances.

H. B. 518, S. B. 515, bill to amend an act to incorporate the Warm Springs and Paint Rock Turnpike Company. Referred to the committee on Corporations.

H. B. 181, S. B. 516, bill to incorporate the town of Burnsville in Yancey county. Referred to the committee on Corporations.

H. B. 397, S. B. 517, bill to prevent the obstruction of fish in the waters of the Scuppernong river in Tyrrell county. Referred to the committee on Fish and Fisheries.

H. B. 644, S. B. 518, bill to provide for the better working of public roads in the county of Ashe. Referred to the committee on Propositions and Grievances.

H. B. 488, S. B. 519, bill to incorporate the Grand and Subordinate Lodges of the Knights of Honor of North Carolina. Referred to the committee on Corporations.

H. B. 430, S. B. 520, bill to authorize the entry and patent of lands in Jones, Craven, Onslow, Tyrrell, Carteret and

Dare counties, belonging to the Literary Board of this State. Referred to the committee on Education.

H. B. 427, S. B. 521, bill to provide for cotton weighers in the town of Apex in Wake county. Referred to the committee on Propositions and Grievances.

H. B. 415, S. B. 522, bill to amend section 2, chapter 53, Battle's Revisal. Referred to the committee on Judiciary.

Engrossed House amendment to

S. B. 4, H. B. 549, bill to protect diamond-back terrapins in the waters of North Carolina.

On motion of Mr. Clarke, the Senate refused to concur in the amendment.

Engrossed House amendments to

S. B. 202, H. B. 551, bill to amend the charter of the Granville Railroad Company.

On motion, the amendment was concurred in, and the bill was ordered enrolled.

H. R. 106, S. R. 523, resolution for the appointment of additional members upon the committee for the appointment of magistrates. Placed upon the Calendar.

Also, transmitting a message from his Excellency, the Governor, with accompanying correspondence between the Governor and General Imboden relative to a sale of the Cape Fear and Yadkin Valley Railroad, with a proposition that the same be printed. The proposition to print was concurred in.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency, asking authority to employ experts to examine the condition of the Western North Carolina Railroad, in order to enable him to respond fully to Senate resolution of inquiry of his Excellency, the Governor.

By consent,

Mr. Davidson introduced

S. R. 524, resolution authorizing the Governor to employ experts, &c.

On motion of Mr. Davidson, the rules were suspended, the resolution was taken up, and failed to pass.

On motion, the rules were suspended, and

H. R. 106, S. R. 523, resolution for the appointment of additional members upon the committee for the appointment of magistrates, was taken up and adopted.

The President announced as additional members of said committee on the part of the Senate, Messrs. Manning and Oates.

SPECIAL ORDER.

S. B. 39, bill to amend the constitution of North Carolina in relation to the election and terms of Senators, was taken up on its second reading, it being the special order for this hour.

On motion of Mr. Staples, it was postponed until Friday, 18th inst., at 12 M., and made the special order for that hour.

On motion, the rules were suspended, and

S. B. 494, bill to change the times of holding the Superior Courts of Jones, Onslow, Wayne and Carteret counties, was taken up, passed its several readings, and was ordered engrossed.

The rules were suspended, and

S. B. 464, bill to regulate pilotage for vessels or schooners owned in the county of Beaufort, was taken up, passed its second reading, and put upon its third reading.

Mr. Clarke moved to amend:

“*Provided*, This act shall apply to all schooners owned in Craven county.” Adopted.

Mr. Jones moved to amend by inserting “Carteret county.” Adopted.

Mr. Manning moved to amend by inserting "Edenton and Elizabeth City." Adopted.

Thus amended, the bill passed its third reading, and was ordered engrossed.

The rules were suspended, and

S. B. 495, bill to prevent the sale of spirituous liquors within one mile of Trap Hill Academy in Wilkes county, was taken up, passed its several readings, and was ordered engrossed.

The rules were suspended, and

H. B. 241, S. B. 323, bill to incorporate Big Falls Manufacturing Company, was taken up on its third reading.

The amendments reported by the committee on Judiciary were adopted.

Bill then passed its third reading, and the amendments were ordered engrossed.

The rules were suspended, and

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, was taken up on its third reading.

The amendments reported by the committee on Judiciary were adopted.

The bill then passed its third reading, and the amendment was ordered engrossed.

Mr. Mebane moved to reconsider the vote by which the bill passed its third reading; and moved to lay that motion on the table. The latter motion prevailed.

The rules were suspended, and

S. B. 460, bill for the better protection of those portions of Rowan county, where the stock law prevails, was taken up, and passed its second reading, ayes 30, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuningham, Dever, Dortch, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Jones, Lockhart, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Spears, Staples, Stowe, Whitaker, Williamson of Davie, Wynne and York—30.

In the negative, Mr. King—1.

The rules were suspended, and

S. B. 23, bill to secure the better drainage of the low lands in North Carolina, was taken up on its second reading.

Amendments reported by the committee on Judiciary were adopted.

The bill then passed its several readings, and was ordered engrossed.

On motion of Mr. Cuninghame, the Calendar was placed under the control of the President for to-day.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 331, bill to prevent attorneys at law from practicing in those courts in which their law partners hold the position of judge or justice, was, on motion, laid on the table.

S. R. 439, resolution directing the State Treasurer to refund to the commissioners of Catawba county certain moneys paid for the support of insane persons, was, on motion, laid on the table.

S. B. 183, bill to repeal chapter 242, Laws of 1876-'77, was, on motion, laid on the table.

S. B. 165, bill to amend the constitution in relation to suffrage, was, on motion, laid on the table.

S. B. 496, bill to prohibit the sale of spirituous or malt liquors within three miles of Conrad Hill Mines in Davidson county, passed its several readings, and was ordered engrossed.

H. B. 623, S. B. 506, bill to provide for the support of the Deaf, the Dumb and the Blind Asylum, passed its second reading, ayes 30, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cuninghame, Dever, Dickey, Dortch, Finger, Glenn, Gudger,

Hampton, Harper, Jenkins, Jones, Lockhart, Mebane, Merritt, Newland, Oates, Parish, Respass, Scott of Rockingham, Stowe, Whitaker, Williamson of Davie, Wynne and York—30.

S. B. 525, bill for the protection of partridges and certain other birds in North Carolina, on its second reading.

Mr. Wynne moved to amend: add to the 5th section the following:

“Provided however, That the counties of Montgomery, New Hanover, Richmond, Wake, Cumberland, Columbus, Harnett and Edgecombe be relieved from the operations of this act.”

Mr. York moved to amend:

“This act shall not apply to Wilkes, Alexander, Iredell and Caldwell counties.”

Mr. Glenn moved the bill be postponed until to-morrow.

Mr. Spears moved to lay the bill on the table. Lost.

The motion of Mr. Glenn to postpone prevailed.

S. B. 272, bill to enable the courts to complete the trial of causes in progress, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 274, S. B. 377, bill to regulate practice on appeals in criminal actions from justices of the peace, on its second reading.

The amendment offered by Mr. Parish was withdrawn.

The amendment reported by the committee on Judiciary was adopted.

Mr. Whitaker moved to amend:

“Provided, That any amendment shall entitle the defendant to a continuance of his cause.”

Mr. Cuninghame demanded the previous question, which was sustained.

On the adoption of Mr. Whitaker's amendment,

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 20, noes 21, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Carter, Clarke, Glenn, Gudger, King, Lockhart, Mebane, Newsom, Pridgen, Respass, Richardson, Scott of New Hanover, Spears, Whitaker, Williamson of Edgecombe and Wynne—20.

Those voting in the negative were

Messrs. Burwell, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Jenkins, Manning, Merritt, Newland, Oates, Parish, Scott of Rockingham, Spruill, Stowe, Williamson of Davie and York—21.

The question recurring upon the passage of the bill its second reading,

Mr. Clarke moved to lay the bill on the table, on which

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 22, noes 19, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carter, Clarke, Cuninghame, Glenn, Gudger, Jenkins, Lockhart, Mebane, Newsom, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Whitaker, Williamson of Edgecombe, Wynne and York—22.

Those voting in the negative were

Messrs. Burwell, Carr, Davidson, Dever, Dortch, Faison, Finger, Foil, Hampton, Harper, King, Manning, Merritt, Newland, Oates, Parish, Spruill, Stowe and Williamson of Davie—19.

On motion, the Senate adjourned.

THIRTY-SEVENTH DAY.

SENATE CHAMBER, February 16th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Richardson: Petition from certain citizens of Bladen county, asking the appointment of C. McG. Dunn a justice of the peace. Referred to the committee on Justices of the Peace.

By Messrs. Bernard, Faison, Finger, Foil, Jones, King, McMillan, Merritt, Richardson, Spears and Williamson of Davie: Petitions relative to Prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Penal Institutions:

By Mr. Glenn: S. B. 364, bill in relation to the execution of criminals in capital felonies, recommending it do not pass.

By Mr. Parish: S. B. 428, bill to prevent the whipping of convicts, recommending it do not pass.

By Mr. Scott of New Hanover, S. B. 51, bill in regard to prisoners confined in jails, guard houses, and work-houses of North Carolina, recommending it do not pass.

From the committee on Fish and Fisheries:

By Mr. York: S. B. 475, bill to protect fish propagation, recommending it do pass.

From the committee on Education :

By Mr. Merritt: S. B. 62, bill to devote the entire poll tax to the common schools by constitutional amendment, recommending it do not pass.

S. B. 15, bill to amend the constitution of North Carolina in regard to the public school fund, recommending it do not pass.

From the committee on Corporations :

By Mr. Lockhart: S. B. 423, bill to incorporate the North Carolina Pharmaceutical Association, reporting a substitute, and recommending the substitute do pass.

S. B. 435, bill to incorporate the Paper and Pulp Works, reporting an amendment, and as amended recommending it do pass.

S. B. 431, bill to incorporate the Charlotte City Waterworks Company, recommending it do pass.

S. B. 472, bill to amend the charter of the town of Plymouth, recommending it do pass.

By Mr. Faison: H. B. 59, S. B. 449, bill in relation to the toll-gates between Franklin, N. C., and Clayton, Georgia, recommending it do pass.

By Mr. Harper: S. B. 437, bill incorporating the town of Yeatesville, in Beaufort county, recommending it do pass.

S. B. 488, bill to incorporate Mount Lebanon Lodge, No. 25, Free and Accepted Masons, of Tarboro, N. C., recommending it do pass.

S. B. 462, bill to incorporate Cape Fear Lodge, No. 1,841, of the Grand United Order of Odd-Fellows, in the town of Smithville, Brunswick county, N. C., recommending it do pass.

H. B. 272, S. B. 452, bill to amend the laws in relation to the Caldwell and Watauga Turnpike Company, recommending it do pass.

By Mr. Stowe: H. B. 466, S. B. 465, bill to incorporate

Ebenezer Presbyterian church of Newbern, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining :

By Mr. Faison : H. R. 36, S. R. 236, resolution relating to the Agricultural Department and Guano Works, recommending it do pass.

By Mr. Harper : S. B. 456, bill for raising revenue by taxing dogs, recommending its reference to the committee on Judiciary. It was so referred.

By Mr. Stowe : S. B. 493, bill for the better protection of farmers and fishermen, reporting an amendment, and as amended recommending it do pass.

From the committee on Finance :

By Mr. Richardson : H. R. 9, S. R. 287, resolution to amend the resolution providing for aid for the Orphan Asylum at Oxford, N. C., ratified 14th of March, 1879, recommending it do pass.

By Mr. Newland : S. B. 491, bill to authorize the commissioners of Warren county to levy a special tax, recommending it do pass.

By Mr. Oates : H. B. 258, S. B. 417, bill to authorize the town of Salisbury to aid in completion of its graded school house, recommending it do pass.

By Mr. Manning : H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrears of taxes, recommending it do not pass.

S. B. 433, bill to authorize guardians and trustees to invest in State bonds, recommending its reference to the committee on Judiciary. It was so referred.

H. R. 268, S. R. 295, resolution for the relief of the sheriff of Watauga county, recommending it do not pass.

From the committee on Judiciary :

By Mr. Clarke : S. B. 446, bill to prevent blind legislation, reporting a substitute, and recommending the substitute do pass.

S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled Judges of Probate, reporting a substitute, and recommending the substitute do pass.

• MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 443, S. B. 526, bill to amend chapter 129, Laws of 1879, providing for draining swamp lands in Columbus and Robeson counties. Referred to the committee on Propositions and Grievances.

H. B. 435, S. B. 527, bill to incorporate Clayton Lodge, No. 33, I. O. of G. T. Referred to the committee on Corporations.

H. B. 431, S. B. 528, bill to change the time of the sittings of the Supreme Court. Referred to the committee on Judiciary.

H. B. 388, S. B. 529, bill to incorporate the town of Bayborough in the county of Pamlico. Referred to the committee on Corporations.

H. B. 292, S. B. 530, bill to amend an act to incorporate the Northwestern Railroad Company, Laws of 1866-'67. Referred to the committee on Corporations.

H. B. 519, S. B. 531, bill to reduce the corporate limits of the town of Monroe, in Union county, and for other purposes. Referred to the committee on Corporations.

Also announcing the concurrence by the House in Senate amendments to

H. B. 341, S. B. 323, bill to incorporate Big Falls Manufacturing Company; and to

H. B. 244, S. B. 322, bill to incorporate Swepson's Mills, and had ordered the same enrolled for ratification.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Burwell: S. B. 532, bill amendatory of, and supplemental to, an act passed by the General Assembly of North Carolina at its present session entitled "an act to provide for the erection of a hospital in the city of Wilmington." Referred to the committee on Finance.

By Mr. Spruill: S. B. 533, bill for the relief of sureties of D. A. Walford, late sheriff of Bertie county. Referred to the committee on Judiciary.

By Mr. Richardson, (by request): S. B. 534, bill to repeal chapters 109 and 194, Laws of 1868-'69. Referred to the committee on Corporations.

By Mr. Williamson of Davie: S. B. 535, bill to change the laws of evidence relating to the sale of spirituous and malt liquors. Referred to the committee on Prohibition.

S. B. 536, bill to extend the provisions of chapter 138, Laws of 1873-'74, to counties in the matter of the sale of intoxicating liquors. Referred to the committee on Prohibition.

S. B. 537, bill to prohibit the sale of intoxicating liquors within one mile of any church or public school house in North Carolina. Referred to the committee on Prohibition.

By Mr. York: S. B. 538, bill to incorporate the Ore Knob Mineral Railway of North Carolina. Referred to the committee on Internal Improvements.

By Mr. Williamson of Davie: S. B. 539, bill to prevent live stock from running at large in the county of Davie. Referred to the committee on Judiciary.

By Mr. Williamson of Edgecombe: S. B. 540, bill to repeal so much of chapter 83, laws of 1866-'67, as declares Tar river a lawful fence where the same flows against and by the lands of certain persons in Edgecombe county. Referred to the committee on Judiciary.

By Mr. Harper: S. B. 541, bill to divide the town of Smithfield in Johnston county into separate wards, and for other purposes. Referred to the committee on Corporations.

By Mr. Scott of New Hanover: S. B. 542, bill to incorporate the "United Sons of Liberty." Placed on the Calendar.

On motion of Mr. Scott of New Hanover,

H. B. 321, S. B. 296, bill to make Brunswick river a lawful fence, was taken from the table and placed on the Calendar.

THE CALENDAR.

' Bills and resolutions were taken up and disposed of as follows:

H. B. 623, S. B. 506, bill to provide for the support of the Deaf, Dumb and Blind Asylum, passed its third reading, ayes 38, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Cuning-
ham, Davidson, Dickey, Dortch, Finger, Foil, Gudger,
Hampton, Harper, Jenkins, Jones, King, Manning, McMil-
lan, Mebane, Merritt, Newland, Newsom, Oates, Parish,
Pridgen, Richardson, Scott of New Hanover, Scott of Rock-
ingham, Spears, Spruill, Staples, Stowe, Whitaker, William-
son of Davie, Wynne and York—38.

S. B. 460, bill for the better protection of those portions
of Rowan county where the stock law prevails, passed its
third reading, ayes 24, noes 2, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuning-
ham, Davidson, Dickey, Dortch, Finger, Foil, Harper, Jones, Manning,
McMillan, Mebane, Merritt, Parish, Respass, Scott of Rock-
ingham, Staples, Stowe, Williamson of Davie, Wynne and
York—24.

In the negative, Messrs. Hampton and Spears—2.

S. B. 72, bill to require the registration of deeds, on its second reading.

The substitute reported by the committee on Judiciary was read.

On motion of Mr. Burwell, it was ordered printed.

H. B. 321, S. B. 296, bill to make Brunswick river a lawful fence, passed its several readings and was ordered enrolled.

S. B. 415, bill to authorize the employment of a clerk in the Executive Department, on its second reading.

Mr. Williamson of Edgecombe moved it be laid on the table, on which he demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 19, noes 18, as follows :

Those voting in the affirmative were

Messrs. Blue, Cuninghame, Glenn, Hampton, Harper, Jenkins, King, Mebane, Newsom, Parish, Pridgen, Scott of New Hanover, Spears, Spruill, Stowe, Whitaker, Williamson of Edgecombe, Wynne and York—19.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Carr, Davidson, Dickey, Finger, Foil, Gudger, Harris, Jones, McMillan, Merritt, Newland, Oates, Richardson, Scott of Rockingham and Williamson of Davie—18.

S. B. 443, bill to authorize clerks of the superior courts to order the registration of deeds and other instruments executed to themselves, passed its several readings and was ordered engrossed.

SPECIAL ORDER.

S. B. 16, bill to amend the constitution of North Carolina in relation to taxation, was, on motion of Mr. King, laid on the table.

On motion of Mr. Davidson,

H. B. 31, S. B. 146, bill to punish the crime of producing

abortion, was taken from the table, and, on his further motion, it was recommitted to the committee on Judiciary.

S. B. 422, bill to amend chapter 287, Laws of 1876-'77, entitled an act to allot and distribute the judicial powers of the State, was, on motion, laid on the table.

S. B. 447, bill to guard the State against granting improper railroad and mining charters, on its second reading.

Substitute reported by the committee on Judiciary was adopted.

On motion, the further consideration of the bill was postponed for to-day.

On motion of Mr. Lockhart,

S. B. 16, bill to amend the constitution of North Carolina in relation to taxation, was taken from the table, and placed on the Calendar.

On motion of Mr. Dortch, the bill was taken up on its second reading.

The bill failed to pass its second reading, (three-fifths not voting therefor), as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Dickey, Gudger and Staples—5.

Those voting in the negative were

Messrs. Battle, Burwell, Carr, Cuninghame, Davidson, Dever, Dortch, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Stowe, Whitaker, Williamson of Edgecombe, Wynne and York—37.

H. B. 290, S. B. 450, bill to repeal chapter 141, Laws of 1879, relative to appeals from the Inferior Courts, was, on motion, laid on the table.

S. B. 463, bill to fix the punishment for an assault with intent to murder, passed its several readings, and was ordered engrossed.

S. B. 470, bill to authorize the commissioners of Wash-

ington county to levy a special tax, passed its second reading, ayes 36, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuning-
ham, Dever, Dickey, Faison, Finger, Foil, Glenn, Hampton, Har-
per, Harris, Jenkins, Jones, King, Lockhart, Manning, Mc-
Millan, Mebane, Merritt, Newland, Newsom, Oates, Parish,
Pridgen, Scott of Rockingham, Spruill, Staples, Stowe,
Whitaker, Williamson of Edgecombe, Wynne and York
—36.

In the negative, Mr. Spears—1.

Mr. Williamson of Edgecombe moved to take from the table

S. B. 331, bill to prevent attorneys at law from practicing in those courts in which their law partners hold the position of judge or justice, on which he demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 36, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carr, Carter, Cuning-
ham, Dever, Dortch, Faison, Finger, Foil, Glenn, Gudger,
Hampton, Harper, Harris, Jenkins, Jones, King, McMillan,
Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass,
Scott of New Hanover, Spears, Spruill, Staples, Stowe, Whit-
aker, Williamson of Edgecombe, Wynne and York.—36.

In the negative, Mr. Lockhart—1.

On motion of Mr. Harper, the bill was put upon its second reading.

Mr. Cuningham moved to indefinitely postpone, on which

Mr. Williamson of Edgecombe demanded the ayes and noes, which were ordered, and the motion to indefinitely postpone prevailed, ayes 21, noes 17, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Cuningham, Dortch,
Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper,

Jones, Manning, Mebane, Merritt, Oates, Scott of Rockingham, Staples and Williamson of Davie—21.

Those voting in the negative were

Messrs. Carter, Clarke, Harris, Jenkins, McMillan, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spears, Spruill, Stowe, Williamson of Edgecombe, Wynne and York—17.

S. B. 458, bill to amend chapter 70, Battle's Revisal, entitled "Master and Servant," on its second reading.

The amendment reported by the committee on the Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

S. B. 483, bill to amend an act to establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of Sheep Husbandry, passed its several readings and was ordered engrossed.

On motion of Mr. Clarke, the vote by which

S. B. 464, bill to regulate pilotage for vessels or schooners owned in the county of Beaufort,

Passed its third reading on yesterday, was reconsidered.

Mr. Clarke moved to reconsider the vote by which the several amendments to the bill were adopted on yesterday, which prevailed.

Mr. Clarke offered a substitute for the several amendments which were adopted.

Bill then passed its third reading, and was ordered engrossed.

S. B. 486, bill to authorize the county commissioners of Surry county to levy a special tax, passed its second reading, ayes 33, noes 1, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Cuninghame, Dever, Dickey, Dortch, Faison, Foil, Glenn, Hampton, Harper, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Pridgen, Richardson, Scott

of Rockingham, Staples, Stowe, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—33.

In the negative, Mr. Spears—1.

On motion of Mr. Carr, the vote by which

Engrossed House amendments to

S. B. 202, H. B. 551, bill amending the charter of the Granville Railroad Company, were concurred in, was reconsidered.

On motion of Mr. Carr, the committee on Enrolled Bills was ordered to make necessary corrections therein.

S. B. 525, bill for the protection of partridges and certain other birds in North Carolina, was taken up on its second reading.

Pending consideration,

On motion, the Senate adjourned.

THIRTY-EIGHTH DAY.

SENATE CHAMBER, February 17th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Jones until Tuesday next.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Tucker: Petition from citizens of Statesville, Iredell county, asking that members of the State Guard be ex-

empt from working roads and serving on juries. Referred to the committee on Propositions and Grievances.

By Messrs. Bernard, Carter, Finger, Jenkins, Stowe, Williamson of Davie and Whitaker: Petitions relative to Prohibition. Referred to the committee on Prohibition.

By Mr. Carr: Petition and memorial from the North Carolina Conference M. E. Church South, representing thirty thousand citizens, asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: S. B. 532, bill amendatory of, and supplemental to, an act passed by the General Assembly of North Carolina at its present session, entitled "an act to provide for the erection of a Hospital in the city of Wilmington," recommending it do pass.

By Mr. Manning: S. R. 278, resolution in relation to Yorktown, reporting it without recommendation.

By Mr. Finger: S. B. 375, bill in regard to the salary of the Private Secretary of the Governor, reporting a substitute, and recommending it do pass.

From the committee on Public Buildings and Grounds:

By Mr. Bernard: S. B. 430, bill to donate an acre of State land to Shaw University for the purpose of erecting a colored medical college, reporting it back without recommendation.

From the committee on Corporations:

By Mr. Harper: S. B. 541, bill to divide the town of Smithfield in Johnston county into separate wards, and for other purposes, recommending it do pass.

From the committee on Penal Institutions:

By Mr. Williamson of Edgecombe: H. B. 27, S. B. 361,

bill authorizing the employment of convict labor on the highways and streets in counties, cities and towns in this State, recommending it do pass.

From the committee on Judiciary:

By Mr. Dortch: S. B. 186, bill to change the time of holding the superior courts of Carteret, Jones and Onslow counties, recommending it do not pass.

From the committee on Internal Improvements:

By Mr. York: S. B. 538, bill to incorporate the Ore Knob Mineral Railway of North Carolina, reporting an amendment, and as amended recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed

H. B. 242, S. B. 317, Senate amendment to bill to incorporate the Dan Valley and Yadkin River Narrow Gauge Railroad Company.

S. B. 220, bill to regulate the punishment of larceny.

H. B. 233, S. B. 335, Senate amendment to bill to give the county commissioners of Pasquotank county the power to levy a special tax.

S. B. 199, bill to incorporate the Jonesboro High School.

S. B. 406, bill to incorporate the Grand Lodge Knights of Honor of North Carolina and subordinate lodges working under the jurisdiction of the said Grand Lodge.

S. B. 403, bill to authorize the commissioners of Cabarrus county to levy a special tax.

S. B. 100, bill to amend the law of attachment.

S. B. 279, bill to amend section 25 of chapter 104 of Battle's Revisal.

S. B. 60, bill to amend chapter 27 of Battle's Revisal.

S. B. 402, bill to make title to State lands in certain cases.

S. B. 389, bill to incorporate Springs Shoals Manufacturing Company.

S. B. 408, bill in relation to lost certificates of stock in corporations.

S. B. 373, bill to allow the commissioners of Rutherford county to issue bonds.

S. B. 494, bill to change the times of holding the superior courts of Jones, Onslow, Wayne and Carteret counties.

S. B. 464, bill to regulate pilotage for vessels owned in Beaufort and other counties.

S. B. 482, bill to incorporate the Conrad Hill Gold and Copper Company of Davidson county, North Carolina.

S. B. 495, bill to prevent the sale of spirituous liquors within one mile of Trap Hill Academy in Wilkes county.

S. B. 496, bill to prohibit the sale of spirituous or malt liquors within three miles of Conrad Hill Gold and Copper Company in Davidson county.

S. B. 481, bill to incorporate the Ore Knob Copper Company of Ashe county, North Carolina.

S. B. 67, H. B. 281, an act for the better protection of married women.

H. B. 405, S. B. 432, an act to restore to the common school fund the support of normal schools.

S. B. 104, H. B. 526, an act to authorize the trustees of Public Library to publish certain public records, &c., for the use of the Library.

H. B. 369, S. B. 345, an act to prevent the felling of trees and fishing with hand seines in Falling creek in Wayne county.

H. B. 121, S. B. 418, an act to authorize the board of county commissioners of Jones county to order an election in Trenton township to submit to the qualified voters the question of license or no license.

H. B. 72, S. B. 161, an act to amend chapter 244, Laws of 1879, exempting manufacturers on the South Fork of Catawba river.

H. B. 337, S. B. 356, an act to authorize the commissioners of Wilkes county to levy a special tax ;

S. B. 270, H. B. 509, an act to require the Public Treasu-

rer to sell certain bonds, and apply the proceeds thereof to the common school fund ;

H. B. 165, S. B. 344, an act to allow the commissioners of Lincoln county to condemn a fence way in said county ;

H. B. 82, S. B. 233, an act for the relief of sheriffs and tax collectors ;

H. B. 340, S. B. 400, an act to prevent the felling of trees in Mill creek, in Johnston county ;

H. B. 368, S. B. 410, an act to incorporate the town of Webster, in Jackson county ;

H. R. 89, S. R. 363, resolution requesting our Senators and Representatives in Congress to use their influence to repeal the tax upon snuff, tobacco and brandies distilled from fruits ;

H. B. 326, S. B. 379, an act to authorize the collection of arrears of taxes due the town of Marion for the year eighteen hundred and eighty ;

H. B. 402, S. B. 399, an act to amend chapter 25, section 1, of Private Laws of 1879.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Glenn : S. B. 543, bill (with petition) to prevent the felling of timber or other obstructions in South Fork creek in Forsyth and Davidson counties, and for other purposes. Referred to the committee on Propositions and Grievances.

By Mr. Jones : S. B. 544, bill to authorize the chairman of the board of commissioners of Onslow county to sign certain orders on the treasurer of said county. Referred to the committee on Propositions and Grievances.

By Mr. Bernard : S. B. 545, bill to protect inebriates. Placed upon the Calendar.

By Mr. Williamson of Edgecombe : S. R. 546, resolution

of instruction to the Judiciary committee to report a bill to support the public roads by taxation. Placed on the Calendar.

By Mr. Finger: S. B. 547, bill to amend an act to adjust and renew a portion of the State debt, ratified the 14th day of March, 1879. Referred to the committee on State Debt.

By Mr. Manning: S. B. 548, bill supplemental to an act declaring Queen Anne's creek in Chowan county a lawful fence. Placed on the Calendar.

By Mr. Richardson: S. B. 555, bill concerning representation in the House of Representatives. Placed on the Calendar.

By Mr. Glenn: S. B. 556, bill to amend chapter 168, section 6, Laws of 1872. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 657, S. B. 549, bill to incorporate the Danville and Haw River Railroad Company. Referred to the committee on Corporations.

H. B. 48, S. B. 550, bill to make slander indictable. Referred to the committee on the Judiciary.

H. B. 199, S. B. 551, bill to amend section 3, chapter 241, Laws of 1876-'77, respecting service by publication. Referred to the committee on the Judiciary.

H. B. 360, S. B. 552, bill concerning the burnt records in Lenoir county. Referred to the committee on the Judiciary.

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c. Referred to the committee on Education.

H. B. 429, S. B. 554, bill to amend the charter of the town of Beaufort in the county of Carteret. Referred to the committee on Corporations.

On motion of Mr. Cuningham,

S. B. 141, bill to create a new county to be called Vance, was taken up on its second reading. On his further motion, it was postponed until Wednesday, 23d inst. at 12 M., and made the special order for that hour.

On motion of Mr. Spears,

S. B. 430, bill to donate an acre of State land to Shaw University for the purpose of erecting a colored medical college, was taken up on its second reading.

Mr. Spears moved to amend: Strike out the words "lower part" in line two, of section 1, and insert "south-east corner." Adopted.

Mr. Davidson moved to amend:

"Provided, however, That the erection of said college shall commence within one year and be completed within three years from the passage of this act.

And provided further, That if the buildings herein mentioned are not commenced and finished within the time prescribed, or if at any time the property hereby donated shall cease to be used for the purposes set forth in this bill, or shall be used for any other purpose, then the title to the land hereby donated shall be vested again in the State of North Carolina."

Adopted.

Mr. Cuningham demanded the previous question, which was sustained.

On the passage of the bill its second reading, the ayes and noes were ordered, and the bill passed, ayes 33, noes 12, as follows:

Those voting in the affirmative were

Messrs Battle, Bernard, Blue, Carter, Clarke, Cuningham, Dever, Dickey, Dortch, Eaves, Faison, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, King, Merritt, Newsom, Parish, Pridgen, Respass, Scott of New Hanover, Spears,

Spruill, Staples, Stowe, Whitaker, Williamson of Edgewcombe, Wynne and York—33.

Those voting in the negative were

Messrs. Burwell, Carr, Finger, Jones, Lockhart, Manning, Mebane, Newland, Oates, Richardson, Scott of Rockingham and Tucker—12.

Bill was then put on its third reading, passed, and was ordered engrossed.

Mr. Clarke moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

SPECIAL ORDER.

S. B. 327, bill to provide for the erection of a Supreme Court and Library building, and a Governor's residence, was taken up, it being the special order for this hour.

On motion of Mr. York, it was postponed.

On motion of Mr. York,

S. B. 538, bill to incorporate the Ore Knob Mineral Railway of North Carolina, was taken up on its second reading.

The amendment reported by the committee on Internal Improvements was adopted.

Bill then passed its several readings and was ordered engrossed.

On motion of Mr. Spruill,

S. B. 415, bill to authorize the employment of a clerk in the Executive Department, was taken from the table and placed on the Calendar.

On motion of Mr. Spruill, the bill was taken up on its second reading.

Bill passed its several readings and was ordered engrossed.

Mr. Williamson of Davie moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion of Mr. Richardson,
S. B. 555, bill concerning representation in the House of Representatives, was taken up on its second reading.

On his further motion, it was postponed until Tuesday, 22d inst. at 12 M., made the special order for that hour, and ordered printed.

SPECIAL ORDER.

S. B. 347, bill to provide for the erection of a Supreme Court and Library building and a Governor's residence, was taken up on its second reading.

Mr. Harper moved to amend :

Strike out all of sections three and five, and so much of section eight, as amended by the committee, as relates to the Governor's residence. Also, add to section six the following: "and all funds derived from the sale of property, as provided in section two of this act, including all funds now in the treasury derived from sale of property belonging to the State heretofore made, except twenty thousand dollars to be used in erecting the said Supreme Court and Library building, shall be equally divided, and one-half added to the common school fund, and the other half to the common fund of the State."

Mr. York moved to amend :

Insert at end of section 4: *Provided*, That nothing herein contained shall be construed to authorize the Board of Directors of the Penitentiary to reduce or diminish the number of convicts which have been heretofore or may be hereafter granted to public works or internal improvements in which the State has an interest."

Which, by consent, was accepted.

Mr. Dortch offered the following amendment, which was read :

Strike out in section 6 the words "to select a site upon one of the squares belonging to the State and;" also, strike out the word "thereon" in section 6, and insert the words "on Union Square;" also strike out in section 9 the words between the brackets.

Pending consideration, the Senate adjourned.

THIRTY-NINTH DAY.

SENATE CHAMBER, February 18th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Mangum of the University.

The Journal of yesterday was approved.

Members of the committee on Education were granted leave of absence to-day to attend committee duty.

Leave of absence was granted Messrs. Battle and Scott of New Hanover, until Monday; Mr. King until Tuesday.

Mr. McMillan was announced detained at his room on account of sickness.

By request of Mr. Battle, chairman of the committee on Propositions and Grievances, the President appointed Mr. Oates an additional member on that committee.

PETITIONS.

Petitions were presented and disposed of as follows :

By Messrs. Cuninghame, Tucker and Williamson of Davie :

Petitions relative to prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Corporations:

By Mr. Stowe: H. B. 657, S. B. 549, bill to incorporate the Danville and Haw River Railroad Company, recommending it do pass.

By Mr. Harper: H. B. 429, S. B. 554, bill to amend the charter of the town of Beaufort in the county of Carteret, recommending it do pass.

By Mr. Williamson of Edgecombe: H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, recommending it do not pass.

By Mr. Lockhart: S. B. 401, bill to incorporate the bank of Enfield, reporting an amendment, and, as amended, recommending it do pass.

H. B. 524, S. B. 466, bill to incorporate the North Carolina, London and Southern Mining and Commercial Company, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Insane Asylum:

By Mr. York: S. B. 188, bill for the benefit of the colored Insane Asylum, recommending it do not pass.

S. B. 197, bill to provide for the completion of the colored Insane Asylum near Goldsboro, recommending it do not pass.

S. B. 348, bill to incorporate the Eastern North Carolina Insane Asylum, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Finance:

By Mr. Burwell: H. B. 262, S. B. 249, bill to repeal chapter 128, Laws of 1874-'75, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Glenn: H. B. 303, S. B. 411, bill to prevent live

stock running at large in the county of New Hanover, recommending it do not pass.

The committee on Engrossed Bills reported as properly engrossed :

By Mr. Spears : S. B. 409, bill to amend section 41, Code of Civil Procedure, as brought forward in chapter 17, of Battle's Revisal ;

S. B. 393, bill for the better protection of the fish interest in the Cape Fear river ;

S. R. 467, resolution to pay the traveling expenses of the two sub-committees appointed to visit Morganton and Goldsboro asylums ;

S. B. 390, bill to incorporate the French Broad Steamboat Company ;

S. B. 272, bill to enable the courts to complete the trial of causes in progress ;

S. B. 538, bill to incorporate the Ore Knob Mineral Railway of North Carolina ;

From the committee on Enrolled Bills :

By Mr. Scott of Rockingham, as correctly enrolled,

H. B. 321, S. B. 296, an act to make Brunswick river a lawful fence ;

H. B. 623, S. B. 506, an act to provide for the support of the Institution for the support of the Deaf and Dumb and the Blind ;

S. B. 307, H. B. 615, an act to incorporate Marvin Camp Ground in the county of Caldwell ;

S. B. 50, H. B. 355, an act to amend chapter 135, Public Laws of 1879, so that Catawba county may be included in its provisions ;

H. B. 101, S. B. 480, an act to prohibit the sale of intoxicating liquors in and around " Mt. Airy," county of Surry ;

H. B. 220, S. B. 252, an act to amend section 2, chapter 120, of Battle's Revisal ;

S. B. 354, H. B. 611, an act to incorporate Hanging-dog Baptist church in Cherokee county ;

H. B. 198, S. B. 419, an act to authorize the commissioners of Alexander county to levy a special tax ;

H. B. 185, S. B. 358, an act for the relief of school districts in New Salem townships Nos. 10 and 12 in the county of Union ;

H. B. 51, S. B. 255, an act to assign convicts to the Scotland Neck branch of the Wilmington and Weldon Railroad Company ;

H. B. 241, S. B. 323, an act to incorporate the Big Falls Manufacturing Company ;

S. B. 222, H. B. 554, an act to appoint a cotton weigher for the town of Franklinton ;

S. B. 376, H. B. 605, an act to amend chapter 48, Battle's Revisal, declaring a four-foot fence a lawful fence in Pamlico county ;

Which were duly ratified and sent to the office of the Secretary of State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Scott of Rockingham : S. B. 557, bill relating to sales by commissioners under order of court. Referred to the committee on Judiciary.

By Mr. Battle : S. B. 558, bill in relation to costs in the Supreme Court. Referred to the committee on Judiciary.

By Mr. Pridgen : S. B. 559, bill to levy a special tax in Brunswick county for the benefit of the common school fund in said county. Referred to the committee on Education.

By Mr. York : S. B. 560, bill for the completion and support of the several insane asylums of this State. Placed on the Calendar.

By Mr. Hampton : S. B. 561, bill to lay off and construct a road from Mount Airy in Surry county to Sparta in Alle-

ghany county. Referred, with petition, to the committee on Propositions and Grievances.

By Mr. Tucker: S. B. 562, bill to amend the charter of the town of Statesville. Referred, with petitions, to the committee on Corporations.

S. R. 563, resolution authorizing the joint committee on Prohibition to employ a clerk. Placed on the Calendar.

By Mr. Burwell: S. B. 564, bill to exempt from jury duty certain firemen. Referred to the committee on Propositions and Grievances.

S. B. 565, bill in relation to fish in Catawba river. Referred to the committee on Fish and Fisheries.

S. B. 566, bill to repeal chapter 41, Laws of 1879. Referred to the committee on Judiciary.

By Mr. Staples: S. B. 567, bill to incorporate the town of Jamestown in Guilford county. Referred to the committee on Corporations.

By Mr. York: S. B. 568, bill for the better government of the North Carolina Insane Asylum. Placed on the Calendar.

By Mr. Dever: S. B. 569, bill to regulate fishing in Mill's river in Henderson county. Referred, with petition, to the committee on Fish and Fisheries.

By Mr. Manning: S. B. 572, bill to prevent the fishing with drift nets in certain waters of this State. Referred to the committee on Fish and Fisheries.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House informing the Senate that the House had receded from its amendment to S. B. 4, H. B. 549, bill to protect diamond-back terrapins in the waters of North Carolina,

And had ordered the same enrolled for ratification.

Also, announcing the concurrence of the House in Senate amendments to

H. B. 233, S. B. 335, bill to give the commissioners of Pasquotank county the power to levy a special tax;

And in Senate amendments to

H. B. 242, S. B. 317, bill to incorporate the Dan Valley and Yadkin River Narrow Gauge Railroad Company,

And had ordered the same enrolled for ratification.

Also transmitting engrossed

H. B. 725, S. B. 570, bill to provide for the erection of a monument to the late Governor Richard Caswell. Placed upon the Calendar.

H. B. 726, S. B. 571, bill to amend an act incorporating the Elizabeth City and Norfolk Railroad Company. Referred to the committee on Corporations.

Also, announcing the refusal of the House to pass

S. B. 18, H. B. 351, bill to provide special jurors in capital cases.

On motion of Mr. Davidson,

H. B. 452, S. B. 395, bill to change the name of Davidson River township in Transylvania county to that of Brevard township, was taken from the table and placed on the Calendar.

On motion of Mr. Tucker, the rules were suspended, and

S. R. 563, resolution authorizing the joint committee on Prohibition to employ a clerk, was taken up, passed its several readings, and ordered sent to the House of Representatives without engrossment.

UNFINISHED BUSINESS.

S. B. 347, bill to provide for the erection of a Supreme Court and Library building, and a Governor's residence, was taken up on its second reading, it being the unfinished business of yesterday.

The amendment reported by the committee on Public Buildings and Grounds was adopted.

Question recurred on the amendment offered by Mr. Harper.

Mr. Dortch asked for a division of the question.

The amendment of Mr. Harper to strike out sections 3 and 5 was lost.

Mr. Dortch's amendment was adopted.

Question recurring upon the passage of the bill its second reading,

Mr. Bernard demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading, ayes 16, noes 23, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Davidson, Dever, Dickey, Dortch, Glenn, Harris, Newsom, Parish, Respass, Spears and Whitaker—16.

Those voting in the negative were

Messrs. Blue, Cuningham, Eaves, Faison, Foil, Hampton, Jenkins, King, Lockhart, Manning, Mebane, Newland, Oates, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Wynne and York—23.

Mr. Scott of Rockingham moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table.

The motion to table was lost.

Mr. Staples moved to postpone the consideration of the motion to reconsider until Wednesday next, 23d inst., at half past 12 o'clock P. M., and make it the special order for that hour, which prevailed.

On motion of Mr. Staples,

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, was taken up on its second reading.

Mr. Dortch moved the bill be indefinitely postponed, on which he demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 25, noes 13, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuningham, Davidson, Dickey, Dortch, Eaves, Faison, Finger, Foil, Hampton, Harper, Jenkins, King, Mebane, Newland, Parish, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Edgecombe and Wynne—25.

Those voting in the negative were

Messrs. Bernard, Carr, Carter, Clarke, Dever, Glenn, Guder, Lockhart, Manning, Newsom, Oates, Spears and Spruill—13.

Mr. Staples moved to reconsider the vote by which the bill was indefinitely postponed.

Pending which,

On motion, the Senate adjourned.

FORTIETH DAY.

SENATE CHAMBER, February 19th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Faison and Mr. Stowe until Tuesday next; to Mr. Whitaker indefinitely.

On motion of Mr. Carr, the President appointed Messrs. Blue and Harper additional members of the committee on Engrossed Bills and committee on Enrolled Bills.

On motion of Mr. Staples, the committee on Internal Improvements was instructed to have printed the evidence taken by, and documents filed with, said committee, in the consideration of

S. B. 184, bill authorizing the Piedmont Railroad Com-

pany to extend aid to the North-western North Carolina Railroad, and other roads in the State.

PETITIONS.

Petitions were presented and disposed of as follows :

By Messrs. Cuninghame, Gudgeon, Merritt and Williamson of Davie: Petitions relating to prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Judiciary :

By Mr. Williamson of Davie: S. B. 539, bill to prevent live stock from running at large in the county of Davie, recommending it do pass.

From the committee on Library :

By Mr. Merritt: H. B. 252, S. B. 507, bill in relation to the fraudulent disposition of certain public documents, recommending it do pass.

From the committee on Education :

By Mr. Merritt: H. B. 430, S. B. 520, bill to authorize the entry and patent of lands in Jones, Craven, Onslow, Tyrrell, Carteret and Dare counties belonging to the Literary Board of this State, recommending it do pass.

By Mr. Finger: S. B. 459, bill to revise and consolidate the public school laws of this State, reporting a substitute, and recommending the substitute do pass.

On motion of Mr. Finger, the five hundred copies of the substitute, with the report of the committee, was ordered printed.

Mr. Carr, from the committee on Engrossed Bills reported as properly engrossed :

S. B. 463, bill to fix the punishment for an assault with intent to murder ;

S. B. 458, bill to amend chapter 70, Battle's Revisal, entitled "master and servants;"

S. B. 430, bill to donate an acre of State land to Shaw University, for the purpose of erecting a colored medical college.

Mr. Scott of Rockingham, from the committee on Enrolled Bills, reported the following:

S. B. 338, H. B. 544, an act to amend chapter eighty-four, Laws of 1858-'59, relative to the charter of Catawba College;

S. B. 333, H. B. 622, an act to reduce the price of the Laws and Supreme Court Reports;

H. B. 297, S. B. 382, an act to prevent the felling of trees in Trent river;

H. B. 244, S. B. 322, an act to incorporate "Swepson Mills;"

H. B. 590, S. B. 453, an act to suspend the operation of an act entitled "an act to appoint cotton weighers for the town of Wilson, ratified January 12, 1881;"

S. B. 230, H. B. 550, an act to amend chapter 235. secs. 1 and 2, Laws of 1869, as brought forward in Battle's Revisal, chapter 78, sec. 17, relative to the distribution of the public laws;

S. B. 247, H. B. 589, an act to incorporate the Clarendon Waterworks Company;

H. R. 51, S. R. 386, resolution providing additional clerical assistance for the Secretary of State;

H. B. 497, S. B. 98, an act to permit defendants in criminal cases to testify in their own behalf;

S. B. 273, H. B. 480, an act to incorporate the town of Cherryville in the county of Gaston;

H. B. 422, S. B. 317, an act to incorporate the Yadkin River and Dan Valley Narrow Gauge Railroad Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Cuninghame: S. B. 573, bill to prohibit the manufacture and sale of spirituous liquors within three miles of Ephesus and Lee's chapel churches in Person county, and Lebanon church in Caswell county. Referred to the committee on Prohibition.

By Mr. Battle: S. B. 574, bill to incorporate Olive Branch Lodge, No. 1, 118, Knights of Honor. Referred to the committee on Corporations.

By Mr. Tucker: S. B. 575, bill to amend chapter 163, Laws of 1871-'72. Referred to the committee on Propositions and Grievances.

By Mr. York: S. B. 576, bill to amend an "act to provide for the working of convicts on the Western Railroad," now the Cape Fear and Yadkin Valley Railway, ratified Feb. 27th, 1877. - Referred to the committee on Internal Improvements.

By Mr. Respass: S. B. 577, bill to increase the number of justices of the peace in Beaufort county. Referred to the committee on Propositions and Grievances.

UNFINISHED BUSINESS.

The motion to reconsider the vote by which

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, was indefinitely postponed on yesterday, was taken up for consideration, as the unfinished business of yesterday.

On motion, its consideration was postponed for the present.

On motion of Mr. Williamson of Davie, the rules were suspended and

S. B. 539, bill to prevent live stock from running at large

in the county of Davie, was taken up on its second reading and passed, ayes 27, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Carter, Clarke, Cunningham, Faison, Foil, Gudger, Hampton, Harper, Jenkins, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—27.

On motion of Mr. Clarke,

H. B. 247, S. B. 294, bill to prevent the felling of trees and brush in Dally's Gut and Green's Thoroughfare, was taken from the table, and recommitted to the committee on Propositions and Grievances.

On motion of Mr. Burwell,

S. B. 431, bill to incorporate the Charlotte City Water-Works Company, was taken up, passed its several readings, and was ordered engrossed.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 470, bill to authorize the commissioners of Washington county to levy a special tax, passed its third reading, ayes 36, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Dever, Dickey, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jenkins, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—36.

S. B. 486, bill to authorize the county commissioners of Surry county to levy a special tax, passed its third reading, ayes 35, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Clarke, Cuningham, Dever, Dickey, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Lockhart, Manning, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—35.

S. B. 15, bill to amend the constitution of North Carolina in relation to the public school fund, on its second reading.

Mr. Merritt moved to lay the bill on the table, on which Mr. Staples demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 18, noes 19, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Dortch, Faison, Hampton, Harper, Lockhart, Mebane, Merritt, Newland, Oates, Respass, Richardson, Scott of Rockingham and Stowe—18.

Those voting in the negative were

Messrs. Carter, Clarke, Cuningham, Davidson, Dickey, Eaves, Foil, Glenn, Jenkins, Newsom, Parish, Pridgen, Spruill, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—19.

Question recurring on the passage of the bill its second reading,

Mr. Burwell moved to amend. Add the following to section 1 of the bill:

“And no person shall be a qualified voter in this State, who shall not have paid his capitation tax assessed and levied for the fiscal year next preceding any election at which he may propose to vote; and the General Assembly shall, from time to time, provide such regulations as may be necessary to carry this section into effect.”

On which he demanded [the ayes and noes, which were ordered, and the amendment was adopted, ayes 30, noes 11, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuning-
ham, Davidson, Dickey, Dortch, Faison, Finger, Glenn,
Gudger, Hampton, Harper, Harris, Lockhart, Manning,
Mebane, Merritt, Newland, Oates, Parish, Respass, Richard-
son, Spruill, Staples, Stowe, Tucker and Williamson of
Davie—30.

Those voting in the negative were

Messrs. Carter, Clarke, Eaves, Foil, Jenkins, Newsom,
Pridgen, Scott of Rockingham, Williamson of Edgecombe,
Wynne and York—11.

Mr. Staples moved to amend: Strike out in section 2 the words "on the 1st day of August, 1881," and insert "at the next general election." Adopted.

Question then recurred upon the passage of the bill its second reading, it failed to pass, (three-fifths of the Senators not voting therefor), as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuning-
ham, Davidson, Dever, Dortch, Faison, Finger, Glenn, Gudger,
Harper, Harris, Lockhart, Manning, Mebane, Merritt, New-
land, Oates, Parish, Respass, Richardson, Staples, Stowe,
Tucker and Williamson of Davie—28.

Those voting in the negative were

Messrs. Carter, Clarke, Dickey, Eaves, Foil, Hampton,
Jenkins, Newsom, Pridgen, Scott of Rockingham, Spruill,
Williamson of Edgecombe, Wynne and York—14.

By consent,

Mr. York introduced

Resolution providing for night sessions of the Senate.

On motion of Mr. York, the rules were suspended, and the resolution taken up.

Mr. Dortch offered the following substitute:

“ That from and after Monday next, the Senate will meet at 10 o'clock A. M., and adjourn at 3 o'clock P. M., unless the Calendar be sooner exhausted.” Adopted.

Resolution was then adopted.

Mr. Dortch moved to reconsider the vote by which

S. B. 15, bill to amend the constitution of North Carolina in relation to the public school fund, failed to pass its second reading, which prevailed, thirty-two Senators, on division, voting therefor.

Bill then passed its second reading, ayes 32, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuninghame, Davidson, Dever, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hampton, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker and Williamson of Davie—32.

Those voting in the negative were

Messrs. Carter, Clarke, Eaves, Foil, Jenkins, Newsom, Pridgen, Williamson of Edgecombe, Wynne and York—10.

Bill was then put on its third reading.

Mr. Davidson moved to amend: Insert after the word “person” in first clause of section 1, the following:

“ Except such as shall be exempt by the proper authorities in the manner to be provided by law, on account of poverty or infirmity in special cases.”

Adopted.

Bill then passed its third reading, (three-fifths of all the Senators voting therefor,) ayes 32, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuninghame, Davidson, Dever, Dickey, Dortch, Faison, Finger, Glenn,

Gudger, Hampton, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker and Williamson of Davie—32.

Those voting in the negative were

Messrs. Carter, Clarke, Eaves, Foil, Jenkins, Newsom, Pridgen, Williamsom of Edgecombe, Wynne and York—10.

UNFINISHED BUSINESS.

The motion to reconsider the vote by which

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, was indefinitely postponed, was taken up for consideration.

On motion of Mr. Cuninghame, the further consideration of the motion was postponed until Thursday, 24th inst., at 12 M., and made the special order for that hour.

On motion of Mr. Finger,

S. B. 459, bill to revise and consolidate the public school laws of this State, was taken up on its second reading.

On his further motion, it was postponed until Tuesday next, 22d inst., at 12 M., and made the special order for that hour.

On motion of Mr. York,

S. B. 560, bill for the completion and support of the several Insane Asylums of this State, was taken up on its second reading.

Mr. Stowe moved to postpone the bill until Friday next, and make it the special order for that day. Lost.

Bill then passed its second reading, ayes 37, noes 1, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Lockhart, Manning, Mebane, Merritt, Newland, Newsom,

Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Tucker, Williamsom of Edgecombe, Wynne and York—37.

In the negative, Mr. Stowe—1.

Bill was then put on its third reading.

Mr. Clarke moved to amend :

“ *Provided*, Work on the Western Insane Asylum shall be prosecuted on one wing exclusively until the same shall be completed and rendered fit for habitation.”

Lost.

Bill then passed its third reading and was ordered engrossed.

On motion of Mr. Manning,

S. B. 548, bill supplemental to an act to declare Queen Anne's creek in Chowan county a lawful fence, was taken up, passed its several readings, and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that body in Senate amendments to

H. B. 233, S. B. 335, bill to give the county commissioners of Pasquotank county the power to levy a special tax, and had ordered the same enrolled for ratification.

Also, transmitting without engrossment House amendment to

S. R. 563, H. R. 119, resolution authorizing the joint committee on Prohibition to employ a clerk.

On motion, the amendment was concurred in, and the resolution was ordered enrolled.

Also, transmitting engrossed

H. B. 461, S. B. 577½, bill for the relief of the town of Fayetteville, and to enable it to compromise its debt. Referred to the committee on Corporations.

H. B. 322, S. B. 578, bill to amend section 11, chapter 92, Laws of 1879. Referred to the committee on Judiciary.

H. B. 131, S. B. 579, bill to lay off and regulate the wreck districts of Dare county. Referred to the committee on Propositions and Grievances.

H. B. 584, S. B. 580, bill to incorporate the Raleigh Council of the Royal Arcanum. Referred to the committee on Corporations.

H. B. 748, S. B. 581, bill to authorize the commissioners of Alleghany county to sell the old court-house and lot of said county. Referred to the committee on Finance.

On motion, the Senate adjourned.

FORTY-FIRST DAY.

SENATE CHAMBER, February 21st, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Leave of absence was granted to Mr. Burwell until to-morrow; Mr. Cuninghame until to-morrow; Mr. Spears until next Monday.

The President stated he desired to correct his ruling on Saturday pending the consideration of

S. B. 15, bill to amend the Constitution of the State in relation to the public school fund. After consideration, and examination of the precedents in the General Assembly, session of 1879, and in the Congress of the United States, he is satisfied that three-fifths of the House or of a quorum is what the Constitution contemplates as requisite to pass an amendment to that instrument.

Mr. Spears, who was detained from his seat on Saturday, asked and obtained leave to record his vote in the negative upon the passage of

S. B. 15, bill to amend the Constitution of the State in relation to the public school fund.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Jenkins: Petition of the county commissioners of Granville county, asking for the uniformity of school books. Referred to the committee on Education.

By Mr. Battle: Petition of citizens of Warren county against the proposed county of Vance. Placed upon the Calendar.

By Mr. Glenn: Petition of citizens of Forsyth county in regard to stock law. Referred to the committee on Propositions and Grievances.

By Mr. Gudger: Petition from citizens of Mitchell county asking for unqualified prohibition by this General Assembly. Referred to the committee on Prohibition.

By Mr. Eaves: Petition from citizens of Rutherford county asking the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Education:

By Mr. Merritt: S. B. 164, bill to amend section 15 of an act entitled "an act to revise and consolidate the public school law," ratified March 9th, 1877, recommending it do not pass.

From the committee on State Debt:

By Mr. Finger: S. B. 547, bill to amend an act to adjust

and renew a portion of the State debt, ratified the 14th day of March, 1879, reporting a substitute, and recommending the substitute do pass.

The committee on Engrossed Bills reported as properly engrossed :

S. B. 443, bill to authorize clerks of Superior Courts to order the registration of deeds and other instruments executed to themselves ;

S. B. 415, bill to authorize the employment of a clerk in the Executive department ;

S. B. 23, bill to secure the better drainage of low lands of the counties of Catawba, Rowan, Davie and Iredell ;

S. B. 436, bill to charter the Danville and New River Railroad.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Davidson : S. B. 582, bill to provide for the election of an Associate Justice of the Supreme Court, and a Judge of the Superior Court, and a Solicitor from the first, second, third, fourth, fifth and sixth judicial districts, at a general election to be held on first Tuesday in November, 1882. Referred to the committee on Judiciary.

S. B. 583, bill for the relief of the heirs-at-law of the late N. W. Woodfin. Placed on the Calendar.

By Mr. Manning : S. B. 584, bill to ratify an election in the town of Elizabeth City. Referred to the committee on Judiciary.

By Mr. Clarke : S. B. 585, bill to amend chapter 294, Laws of 1879. Referred to the committee on Internal Improvements.

By Mr. Staples : S. R. 586, resolution of instruction to the Secretary of State. Placed upon the Calendar.

By Mr. Spruill: S. B. 587, bill to amend chapter 99, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Merritt: S. B. 588, bill to consolidate and amend the acts relating to the sale of intoxicating liquors in and near Chapel Hill. Placed on the Calendar.

By Mr. Eaves: S. B. 589, bill for the relief of jurors in Polk county. Referred to the committee on Propositions and Grievances.

By Mr. Dickey: S. B. 590, bill to prevent the felling of timber in Hiawassee river in Clay and Cherokee counties. Referred to the committee on Propositions and Grievances.

S. B. 591, bill to prevent the felling of timber in Nantihali river in Clay and Macon counties. Referred to the committee on Propositions and Grievances.

On motion of Mr. York,

S. B. 348, bill to incorporate the Eastern North Carolina Insane Asylum, was taken up, passed its several readings, and was ordered engrossed.

On motion of Mr. York,

S. B. 568, bill for the better government of the North Carolina Insane Asylum, was taken up, passed its several readings, and was ordered engrossed.

On motion of Mr. Williamson of Davie, the vote by which

S. B. 460, bill for the better protection of Rowan county where the stock law prevails, passed its third reading, was reconsidered.

On his father motion, the vote by which the amendment to said bill was adopted was reconsidered and rejected.

The bill then passed its third reading, and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

H. R. 116, S. R. 592, resolution on adjournment. Referred to the committee on Judiciary.

Also, engrossed

H. B. 293, S. B. 593, bill to prohibit the sale of spirituous liquors in the town of Dobson in the county of Surry. Referred to the committee on Prohibition.

H. B. 357, S. B. 594, bill to extend the time of the fall term of the superior court in Cleaveland county. Referred to the committee on Judiciary.

H. B. 582, S. B. 595, bill to incorporate the Cotton and Merchants' Exchange in the town of Goldsboro. Referred to the committee on Corporations.

H. B. 433, S. B. 596, bill to incorporate the town of White Hall in the county of Wayne. Referred to the committee on Corporations.

H. B. 79, S. B. 597, bill to enable the Roxboro and Danville Turnpike Company to establish a turnpike road from the Virginia line to Durham. Referred to the committee on Internal Improvements.

H. B. 693, S. B. 598, bill to prohibit the sale of spirituous liquors within two miles of the town of Taylorsville. Placed on the Calendar.

H. B. 512, S. B. 599, bill to amend chapter 82, Laws of 1879, and chapter 30, Laws of special session of 1880. Referred to the committee on Propositions and Grievances.

H. B. 601, S. B. 600, bill to authorize the commissioners of Pender county to levy a special tax to build a court house and jail. Referred to the committee on Propositions and Grievances.

H. R. 93, S. R. 601, resolution in relation to the granite column at Cowpens. Referred to the committee on Finance.

H. R. 71, S. R. 602, resolution asking our Senators and Representatives in Congress to re-establish the light beacon at Hatteras, &c. Referred to the committee on Propositions and Grievances.

Engrossed House substitute for

S. B. 102, H. B. 385, bill to amend chapter 325, Laws of 1879, "an act to provide a fund for the payment of jurors." Referred to the committee on Judiciary.

Also announcing the refusal of the House to pass

S. B. 391, H. B. 632, bill authorizing the Clerk of the Supreme Court to furnish copies of opinions of the Supreme Court to the Judges of the Superior Courts.

THE CALENDAR.

On motion of Mr. Newland, the Calendar was placed under the control of the President for to-day.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 539, bill to prevent live stock from running at large in the county of Davie, passed its third reading, ayes 28, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Clarke, Cuninghame, Davidson, Dever, Dickey, Finger, Foil, Gudger, Hampton, Harris, Jenkins, Manning, McMillan, Merritt, Newland, Newsom, Pridgen, Respass, Spears, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—28.

S. R. 546, resolution of instruction to the Judiciary committee to report a bill to support the public roads by taxation, on its second reading.

Mr. Williamson of Edgecombe demanded the ayes and noes on the adoption of the resolution, which were ordered, and the resolution failed to pass, ayes 8, noes 23, as follows:

Those voting in the affirmative were

Messrs. Carter, Clarke, Jenkins, Newsom, Pridgen, Spears, Williamson of Edgecombe and Wynne—8.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Cuninghame, Dever, Dickey, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harris,

Lockhart, Manning, McMillan, Merritt, Newland, Respass, Spruill, Tucker, Williamson of Davie and York—23.

S. B. 437, bill incorporating the town of Yeatesville in Beaufort county, passed its second reading, ayes 24, noes 2, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carter, Clarke, Cuningham, Dever, Dickey, Faison, Finger, Foil, Gleun, Gudger, Hampton, Lockhart, Manning, McMillan, Merritt, Newland, Respass, Spruill, Williamson of Davie, Wynne and York—24.

In the negative, Messrs. Newsom and Pridgen—2.

S. B. 28, bill to change the rules for taking depositions, and to amend section 343, chapter 17, Battle's Revisal, on its second reading.

The amendment reported by the committee on Judiciary was adopted.

Bill then passed its several readings and was ordered engrossed.

S. B. 51, bill in regard to prisoners confined in jails, guard-houses and work-houses of North Carolina, was, on motion, laid on the table.

S. R. 278, resolution in relation to Yorktown, on its second reading.

On motion of Mr. Cuningham, it was postponed until Wednesday, 23d inst., at 2 o'clock P. M., and made the special order for that hour.

S. B. 62, bill to devote the entire poll tax to the common schools by constitutional amendment, was, on motion, laid on the table.

S. B. 186, bill to change the time of holding the Superior Courts of Carteret, Jones and Onslow counties, was, on motion, laid on the table.

S. B. 213, bill to amend an act entitled "an act to incorporate the Oxford and Henderson Railroad Company," ratified the 25th March, 1871, on its second reading.

The amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its second reading, ayes 27, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, Lockhart, Manning, Merritt, Newsom, Pridgen, Richardson, Scott of Rockingham, Staples, Tucker, Williamson of Edgecombe, Wynne and York—27.

H. R. 36, S. R. 236, resolution relating to the Agricultural Department and Guano Works, passed its several readings, and was ordered enrolled.

H. R. 9, S. R. 287, resolution to amend the resolution providing for aid for the Orphan Asylum at Oxford, N. C., ratified 14th March, 1879, passed its several readings, and was ordered enrolled.

H. B. 268, S. B. 295, bill for the relief of the sheriff of Watauga county, was, on motion, laid on the table.

H. B. 27, S. B. 361, bill authorizing the employment of convict labor on the highways and streets, in counties, cities and towns in this State, passed its second reading, ayes 29, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Cuninghame, Dickey, Eaves, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, King, Lockhart, Manning, Merritt, Newland, Newsom, Oates, Richardson, Spruill, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—29.

H. B. 452, S. B. 395, bill to change the name of Davidson River township in Transylvania county to that of Brevard township, passed its several readings and was ordered enrolled.

H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrears of taxes, was, on motion, laid on the table.

H. B. 258, S. B. 417, bill to authorize the town of Salis-

bury to aid in the completion of its graded school house, passed its second reading.

S. B. 435, bill to incorporate the Paper and Pulp Works, on its second reading.

The amendment reported by the committee on Corporations was adopted.

The bill then passed its second reading.

S. B. 446, bill to prevent blind legislation, on its second reading.

The substitute, in the nature of a resolution, reported by the committee on Judiciary, was adopted.

The resolution then passed its several readings and was ordered engrossed.

S. B. 447, bill to guard the State against granting improper railroad and mining charters, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

On motion of Mr. York, the bill was laid on the table.

S. B. 462, bill to incorporate Cape Fear Lodge, No. 1841, Grand United Order of Odd Fellows, in the town of Smithville, Brunswick county, North Carolina, passed its several readings and was ordered engrossed.

H. B. 272, S. B. 452, bill to amend the laws in relation to Caldwell and Watauga Turnpike Company, passed its several readings and was ordered enrolled.

H. B. 466, S. B. 465, bill to incorporate Ebenezer Presbyterian church of Newbern, passed its several readings and was ordered enrolled.

S. B. 472, bill to amend the charter of the town of Plymouth, passed its second reading, ayes 29, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Clarke, Cuningham, Dickey, Dortch, Eaves, Finger, Glenn, Hampton, Harper, Harris, King, Lockhart, Manning, McMillan, Merritt, Newland, Pridgen, Richardson, Scott of Rockingham, Spruill, Staples,

Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—29.

H. B. 59, S. B. 449, bill in relation to the toll-gates between Franklin, North Carolina, and Clayton, Georgia, passed its several readings and was ordered enrolled.

S. B. 475, bill to protect fish propagation, on its second reading.

Mr. Williamson of Edgecombe moved to amend: Insert the county of Edgecombe. Adopted.

Mr. Tucker moved to amend: Insert the county of Iredell. Adopted.

Mr. King moved to amend: Insert the counties of Greene and Lenoir. Adopted.

On motion of Mr. Spears, the bill was laid on the table.

On motion of Mr. York, the vote by which

S. B. 348, bill to incorporate the Eastern North Carolina Insane Asylum, passed its third reading this morning, was reconsidered.

The question recurred upon the passage of the bill its third reading.

Mr. York moved to amend: Insert after the word "man," in line 8, section 6, the words "and he shall reside in the institution." Adopted.

The bill then passed its third reading, and was ordered engrossed.

S. B. 491, bill to authorize the commissioners of Warren county to levy a special tax, passed its second reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Hampton, Harris, Jenkins, Manning, McMillan, Merritt, Newland, Newsom, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Tucker, Williamson of Davie, Wynne and York—31.

S. B. 488, bill to incorporate Mount Lebanon Lodge, No.

25, Free and Accepted Masons, of Tarboro, N. C., passed its several readings, and was ordered engrossed.

S. B. 493, bill for the better protection of farmers and fishermen, on its second reading.

The amendment reported by the committee on Agriculture, Mechanics and Mining, was adopted.

Mr. Clarke moved to amend: Insert the city of Newbern. Adopted.

Mr. Williamson of Edgecombe moved to amend: Insert the town of Tarboro. Adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Battle moved to lay the bill on the table. Lost.

Mr. Respass moved to amend: Insert the town of Washington. Adopted.

Bill then passed its third reading, and was ordered engrossed.

S. B. 541, bill to divide the town of Smithfield in Johnston county into separate wards, and for other purposes, passed its several readings, and was ordered engrossed.

S. B. 542, bill to incorporate the United Sons of Liberty, passed its several readings, and was ordered engrossed.

S. B. 545, bill to protect inebriates, was, on motion, referred to the committee on Judiciary.

H. B. 725, S. B. 570, bill to provide for the erection of a monument to the late Governor Richard Caswell, passed its several readings, and was ordered enrolled.

S. B. 197, bill to provide for the completion of colored Insane Asylum near Goldsboro, was, on motion, laid on the table.

On motion of Mr. Scott of Rockingham,

S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled "Judges of Probate," was taken up; and, on his further motion, it was recommitted to the committee on Judiciary.

On motion, the Senate adjourned.

FORTY-SECOND DAY.

SENATE CHAMBER, February 22d, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Watkins.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Williamson of Davie: Petition from citizens of Jerusalem township in Davie county, asking for the appointment of Amos Daniel as a justice of the peace. Referred to the committee on Justices of the Peace.

By Mr. Parish: Petition from citizens of Mangum township in Orange county against the county of Durham. Placed on the Calendar.

By Messrs. Mebane, Richardson and Wynne: Petitions relative to prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Education :

By Mr. Merritt: S. B. 366, bill concerning the State's interests in swamp lands, placing them on the market, recommending it do not pass.

S. B. 559, bill to levy a special tax in Brunswick county for the benefit of the common school fund in said county, recommending it do not pass.

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c., recommending it do pass.

From the committee on Corporations:

By Mr. Lockhart: H. B. 518, S. B. 515, bill to amend an act to incorporate the Warm Springs and Paint Rock Turnpike Company, recommending it do pass.

S. B. 534, bill to repeal chapters 109 and 194, of the Acts of 1868-'69, recommending it do pass.

H. B. 181, S. B. 516, bill to incorporate the town of Burnsville in the county of Yancey, recommending it do pass.

S. B. 574, bill to incorporate Olive Branch Lodge, No. 1,118, Knights of Honor, recommending it do pass.

By Mr. Scott of Rockingham: H. B. 435, S. B. 527, bill to incorporate Clayton Lodge, No. 33, I. O. of G. T., recommending it do pass.

H. B. 433, S. B. 596, bill to incorporate the town of White Hall, in the county of Wayne, recommending it do pass.

H. B. 388, S. B. 529, bill to incorporate the town of Bayboro, in the county of Pamlico, recommending it do pass.

S. B. 497, bill to incorporate Snow Hill church in Cherokee county, recommending it do pass.

H. B. 584, S. B. 580, bill to incorporate the Raleigh Council of the Royal Arcanum, recommending it do pass.

H. B. 488, S. B. 519, bill to incorporate the Grand and subordinate Lodges of the Knights of Honor of North Carolina, recommending it do pass.

From the committee on Fish and Fisheries:

By Mr. York: S. B. 374, bill to amend chapter 115, Laws of 1874-'75, recommending it do not pass.

S. B. 572, bill to prohibit the fishing of drift nets in certain waters in this State, reporting an amendment, and, as amended, recommending it do pass.

H. B. 150, S. B. 500, bill to amend section 10, chapter 83, Battle's Revisal, recommending it do pass.

S. B. 569, bill to regulate fishing in Mills river in Henderson county, recommending it do pass.

H. B. 397, S. B. 517, bill to prevent the obstruction of

fish in the waters of the Scuppernong river in Tyrrell county, recommending it do pass.

S. B. 565, bill in relation to fish in Catawba river, recommending it do not pass.

S. B. 484, bill to protect the fishing interests of Albemarle Sound, recommending it do pass.

From the committee on Agriculture, Mechanics, and Mining :

By Mr. Manning : H. R. 82, S. R. 333, resolution to investigate the Agricultural and Mechanical school at Chapel Hill, reporting a substitute, and recommending the substitute do pass.

From the committee on Finance :

By Mr. Richardson : H. R. 93, S. R. 601, resolution in relation to the granite column at Cowpens, recommending it do pass.

H. B. 748, S. B. 531, bill to authorize the commissioners of Alleghany county to sell the old court house and lot of said county, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed :

S. B. 483, bill to amend the act to establish a department of Agriculture, Immigration and Statistics, and for the encouragement of Sheep Husbandry ;

S. B. 548, bill supplemental to an act to declare Queen Anne's creek in Chowan county a lawful fence ;

S. B. 470, bill to authorize the commissioners of Washington county to levy a special tax ;

S. B. 486, bill to authorize the county commissioners of Surry county to levy a special tax ;

S. B. 28, bill to change the rules for taking depositions and to amend section 343i of chapter 17, Battle's Revisal ;

S. B. 15, bill to amend the Constitution of North Carolina in relation to the public school fund ;

S. B. 539, bill to prevent live stock from running at large in the county of Davie;

S. B. 430, bill for the better protection of those portions of Rowan county where the stock law prevails.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Scott of New Hanover: S. B. 603, bill to protect the rice lands on Eagle's Island. Referred to the committee on Propositions and Grievances.

By Mr. Newsom: S. B. 604, bill to appropriate five hundred dollars to the colored Roanoke Institute at Weldon, N. C. Referred to the committee on Education.

By Mr. Carr: S. B. 605, bill to incorporate Freeman's Chapel in Randolph county. Referred to the committee on Corporations.

S. B. 606, bill to amend the charter of the town of Trinity in Randolph county. Referred to the committee on Corporations.

By Mr. Dortch: S. B. 607, bill to provide for the removal of causes in courts of Probate. Referred to the committee on Judiciary.

By Mr. Staples, (by request): S. B. 608, bill to provide for the sale of the State's interest in the Atlantic and North Carolina Railroad, the North Carolina Railroad, and the Western North Carolina Railroad. Referred to the committee on Internal Improvements, and ordered printed.

By Mr. Williamson of Edgecombe: S. B. 609, bill to amend chapter 272, Laws of 1876-'77, in regard to the State Guard. Referred to the committee on Military Affairs.

By Mr. Dortch, (by request): S. B. 610, bill to amend section 9, chapter 7, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Faison: S. R. 611, resolution of sympathy for Ireland. Placed on the Calendar.

By Mr. Dickey: S. B. 612, bill to prevent felling of timber in Valley river and Notolee river. Referred to the committee on Propositions and Grievances.

On motion of Mr. Respass, H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrears of taxes, was taken from the table and placed on the Calendar.

On motion of Mr. Staples, S. R. 586, resolution of instruction to the Secretary of State was taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 213, bill to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company, ratified 25th March, 1871, passed its third reading, ayes 35, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Gudger, Hampton, Jenkins, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Parish, Pridgen, Respass, Scott of New Hanover, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—35.

H. B. 258, S. B. 417, bill to authorize the town of Salisbury to aid in the completion of its graded school house, passed its second reading under a call of the ayes and noes, and passed, ayes 34.

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Glenn, Hampton,

Harper, Harris, Jenkins, Manning, Mebane, Merritt, Newland, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—34.

H. B. 27, S. B. 361, bill authorizing the employment of convict labor on the highways and streets in counties, cities and towns in this State, passed its third reading, ayes 35, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jenkins, Manning, McMillan, Mebane, Merritt, Newland, Parish, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—35.

S. B. 435, bill to incorporate the Paper and Pulp Works, passed its third reading and was ordered engrossed.

S. B. 437, bill incorporating the town of Yeatesville, in Beaufort county, passed its third reading, ayes 33, as follows :

Those voting in the affirmative were

Messrs. Bernard, Burwell, Carr, Carter, Clarke, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Hampton, Harper, Jenkins, Lockhart, Manning, Mebane, Merritt, Newland, Parish, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—33.

S. B. 472, bill to amend the charter of the town of Plymouth, passed its third reading, ayes 32, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dickey, Dortch, Faison, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Lockhart, McMillan,

Mebane, Merritt, Newland, Parish, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Stowe, Tucker, Wynne and York—32.

S. B. 491, bill to authorize the commissioners of Warren county to levy a special tax, passed its third reading, ayes 30, noes 4, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Cuninghame, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Parish, Respass, Richardson, Scott of Rockingham, Stowe, Tucker, Wynne and York—30.

Those voting in the negative were

Messrs. Carter, Clarke, Scott of New Hanover and Williamson of Edgecombe—4.

H. B. 693, S. B. 598, bill to prohibit the sale of spirituous liquors within two miles of the town of Taylorsville, passed its several readings and was ordered enrolled.

S. B. 164, bill to amend section 15, of an act to revise and consolidate the public school law, ratified March 9th, 1877, was, on motion, laid on the table.

S. B. 188, bill for the benefit of the colored Insane Asylum was, on motion, laid on the table.

H. B. 262, S. B. 249, bill to repeal chapter 128, Laws of 1874-'75, passed its second reading.

S. B. 334, bill concerning evidence in bastardy cases was, on motion, laid on the table.

S. B. 364, bill in relation to the execution of criminals in capital felonies was, on motion, laid on the table.

S. B. 375, bill in regard to the Private Secretary of the Governor, on its second reading.

Question recurred upon the substitute reported by the committee on Finance.

Mr. Williamson of Edgecombe moved to lay the bill on the table, on which motion he demanded the ayes and noes,

which were ordered, and the motion to table prevailed, ayes 23, noes 19, as follows :

Those voting in the affirmative were

Messrs. Carter, Clarke, Dickey, Eaves, Faison, Foil, Hampton, Harper, Jenkins, King, McMillan, Mebane, Newland, Newsom, Pridgen, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Wynne and York—23.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Carr, Davidson, Dever, Finger, Glenn, Gudger, Harris, Lockhart, Manning, Merritt, Parish, Respass, Richardson, Spruill, Staples and Williamson of Davie—19.

Mr. Clarke moved to reconsider the vote by which the bill was laid on the table, and moved to lay the motion to reconsider on the table ; upon which latter motion he demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 23, noes 19, as follows :

Those voting in the affirmative were

Messrs. Carr, Carter, Clarke, Dickey, Eaves, Faison, Foil, Hampton, Harper, Jenkins, King, McMillan, Mebane, Newland, Newsom, Pridgen, Scott of New Hanover, Scott of Rockingham, Stowe, Whitaker, Williamson of Edgecombe, Wynne and York—23.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Davidson, Dever, Finger, Glenn, Gudger, Harris, Lockhart, Manning, Merritt, Parish, Respass, Richardson, Spruill, Staples, Tucker and Williamson of Davie—19.

MESSAGE FROM THE GOVERNOR.

A message was received from his Excellency the Governor, which was read, as follows :

STATE OF NORTH CAROLINA,
Executive Department,
Raleigh, February 21st, 1881.

To the Honorable the Senate of North Carolina :

On Monday, the 14th inst., I received through the Secretary of your honorable body, a resolution, of which the following is a copy :

RESOLUTION OF INQUIRY TO HIS EXCELLENCY THE GOVERNOR.

“Resolved by the Senate, That His Excellency, the Governor, be and he is hereby respectfully requested to furnish the Senate with such information as he may have in respect to the present ownership and control of the Western North Carolina Railroad ; the organization of the Western North Carolina Railroad Company, as provided for and allowed by the Act of the General Assembly entitled ‘an act to provide for the sale of the State’s interest in the Western North Carolina Railroad Company, and for other purposes,’ ratified the — day of March, A. D. 1880, and any mortgage debt created by such company; the number of convicts furnished to William J. Best and his associates from time to time in pursuance of said act; the amount of money paid to the State as hire for such convicts; the amount of money expended by the State for the support and care and keeping of such convicts while so hired; the number of miles of railroad graded and completed by said Best and his associates; the quantity of iron placed on said road by them in repair of the same; the number of miles graded by them west of the French Broad river, on the Ducktown line of said road; the number of miles graded by them north of Asheville, on the Paint Rock line of said road; the amount of money paid into the Treasury by them, to be applied in payment of the interest upon the first mortgage debt of the late ‘The Western North Carolina Railroad Company;’ the condition of said road situate between the towns of Salisbury and Asheville, and the character of the rolling-stock on the same; the prospects of the further prosecution of the work of constructing said road, particularly on the Ducktown line thereof; the disposition made or to be made of the thirty thousand dollars deposited by said Best to the credit of the State ; and any sale or disposition by lease or otherwise, made by said Best and his associates, of said road, and to whom made, when and upon what terms.”

In response to the above resolution, which I have been compelled to delay until this date because so many of the

facts involved in your inquiries were unknown to me, I have the honor to submit the following:

As a matter of convenience of response, I have grouped the kindred interrogatories together, though in a different order from that in which they stand in the original resolution.

1st. In respect to the ownership and control of the Western North Carolina Railroad; the organization of the Western North Carolina Railroad Company, as provided for and allowed by the act of the General Assembly, entitled "An act to provide for the sale of the State's interest in the Western North Carolina Railroad Company, and for other purposes," ratified the — day of March, 1880, and any mortgage debt created by such company; the prospect of the further prosecution of the work of constructing said road, particularly on the Ducktown line thereof; and any sale or disposition by lease or otherwise made by said Best and his associates of said road, and to whom made, when and upon what terms.

OWNERSHIP OF THE ROAD.

As to the ownership of the road, the State conveyed her interest by deed on the 27th day of April, 1880, to W. J. Best, W. R. Grace, J. N. Tappan and J. D. Fish. On the 22d day of May, 1880, a messenger came to this city with a letter from W. J. Best to the commissioners who had signed the deed in behalf of the State, asking their consent for certain of the grantees in said deed to convey their interest to other parties. After consultation, the commissioners returned an answer, of which the following is a copy:

“EXECUTIVE DEPARTMENT,
Raleigh, May 22d, 1880.

W. J. BEST, ESQ., New York:

DEAR SIR:—In reply to yours just received, we will state that the Act

of 29th of March, 1880, gave the commissioners therein named the power to assign and transfer the interest of the State in and to the property and franchises of the Western North Carolina Railroad Company to W. J. Best, W. R. Grace, J. D. Fish and J. Nelson Tappan. This we did, and they executed to the State their obligation in the form of a contract to complete the road. The Act gives the Commissioners no power to release them or any of them from that obligation. If we were to assume such authority, it would be of no force and effect. If they or any of them desire to sell their interest in the property, they could do so without our consent, and even against it. All we can ask is, that the work shall begin by the grantees, or some one for them, on or before the 29th, the day fixed in the Act and in the contract, and be continued in conformity therewith. We greatly regret that there should be any delay in the organization and work. If it were possible for us to remove the obstacle, we would do so at once; but anxious as we are to aid in the matter, we do not see at this time anything we can do.

We are yours respectfully,

THOS. J. JARVIS,

J. M. WORTH,

W. L. SAUNDERS,

THOS. S. KENAN,

Commissioners."

It has been published, and I have believed it to be true, that Messrs. Grace, Fish and Tappan did transfer their interest in some way to Col. A. S. Buford, Col. A. B. Andrews, Gen. Logan, Mr. Clyde, and may be others. But I have never seen any paper writings connected with the matter, and have only had such information as was accessible to the general public.

ORGANIZATION OF THE NEW COMPANY.

On the 27th day of May, 1880, I received the following telegram:

NEW YORK, May 27th, 1880.

THOS. J. JARVIS:—

Grantees met for organization and adjourned till you approve by wire and letter of the following gentlemen as Directors of the Western North

Carolina Railroad: W. J. Best, President; W. T. Dortch, A. C. Avery, F. F. Milne, R. B. Vance, W. E. Anderson, A. B. Andrews, Vice-Presidents; T. M. Logan, John Hoey. Answer by wire and letter.

W. R. GRACE.

To which I replied as follows :

EXECUTIVE DEPARTMENT,
Raleigh, May 27th, 1880.

W. R. GRACE, Great Neck, Long Island,
and 87 Wall Street, New York :

The persons named as Directors of the Western North Carolina Railroad are satisfactory.

While I did not have any official authority in the matter, at the same time I did not feel at liberty to withhold my approval when asked of a Board, a majority of which were our own good citizens, and some of them our most honored and esteemed.

It was published in the papers that such an organization was made. I was so informed and so understood it all along, but never saw a book or paper connected with the organization; and consequently can only speak of it in this general way.

PROSPECT OF THE FURTHER PROSECUTION OF THE WORK, ETC.

I have no information about "the prospect of the further prosecution of the work of constructing said road, particularly on the Ducktown line thereof," except the fact that the State holds the contract for the doing of the work, and that the work is now actually going on. I have also been told by the parties now prosecuting the work that, as soon as the weather will permit, it will be pushed much more vigorously.

SALE OR OTHER DISPOSITION, ETC., OF THE ROAD BY BEST.

As to "any sale or disposition by lease or otherwise made by said Best and his associates of said road, and to whom made, when and upon what terms," I know nothing except what I have already stated. If any mortgage had been put upon the road I do not know it, and do not believe there has been. For further information on these inquiries, I submit the following correspondence with Mr. Best :

[COPY.]

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Feb. 16th, 1881.

W. J. BEST, ESQ., *President W. N. C. R. R. :*

DEAR SIR :—I have been called upon by the Senate for information "in respect to the ownership and control of the Western North Carolina Railroad, the organization of the Western North Carolina Railroad Company, as provided for and allowed by the Act of the General Assembly, entitled 'An act to provide for the sale of the State's interest in the Western North Carolina Railroad Company, and for other purposes,' ratified the — day of March, 1880, and any mortgage debt created by such Company; the prospect of the further prosecution of the work of constructing said road, particularly on the Ducktown line thereof; and any sale or disposition by lease or otherwise made by Best and his associates of said road, and to whom made, when and upon what terms."

To aid me in responding to the above inquiries, I beg that you will furnish me in detail with any information you may have, bearing on these subjects, at as early an hour as convenient.

I am, truly yours,

THOS. J. JARVIS.

[COPY.]

RALEIGH, N. C., February 19th, 1881.

His Excellency, THOMAS J. JARVIS,
Governor, etc., Raleigh, N. C.:

SIR :—Your favor of the 16th inst. was duly received, and would have been answered at once, but that my time has been fully occupied in connection with the investigation of certain matters affecting the Western

North Carolina Railroad, by the Senate Committee on Internal Improvements. I shall now reply to your inquiries in the order in which they appear in your letter :

First. "In respect to the ownership and control of the Western North Carolina Railroad."

The Western North Carolina Railroad is owned and controlled by the corporation of the same name. The act of the General Assembly, ratified March 29th, 1880, authorized the sale of the "State's interest" in said road. That interest is at present represented by W. P. Clyde, T. M. Logan, A. S. Buford and myself, under certain agreements, of which copies have been filed with the Senate committee on Internal Improvements. The interest of the private stockholders in the former company remains intact as at the date of the ratification of the act above referred to. None of the stock of the existing organization has been issued to them in exchange for that which they held in the late Company.

Second. "The organization of the Western North Carolina Railroad Company, as provided for and allowed by the act of the General Assembly, entitled 'an act to provide for the sale of the State's interest in the Western North Carolina Railroad Company, and for other purposes,' ratified the — day of March, 1880."

The Company was, I believe, reorganized strictly in accordance with the provisions of the act referred to. This was effected in the city of New York, in May, 1880, under the direction of eminent counsel, who appeared for my associate grantees, as well as the gentlemen who have since taken their place. A question having arisen as to whether the Company could legally be reorganized outside of the State of North Carolina, the action of the grantees was formally ratified at Salisbury, N. C., in August last.

Third. "Any mortgage debt created by such Company."

No mortgage debt has yet been created.

Fourth. "The prospect of the further prosecution of the worth of constructing said road, particularly on the Ducktown line thereof."

The construction of both divisions of the road is now being conducted with reasonable rapidity. During the Summer and Fall of 1880, much valuable time was lost by the failure of my present associates properly to organize their forces to do the work. I urged upon them the importance of employing 1,000 to 1,500 hands in addition to the convict force, in order to insure the completion of the Paint Rock division and the extension of the Ducktown line to Pigeon river, by the first of next July, as provided in the contract made with the State. I regret to say that it now seems to me impossible to comply with the contract in this regard; but the statement is made in behalf of Messrs. Buford, Logan and Clyde that, as soon as the weather will admit of their profitable employment; 1,000 additional hands will be set to work. I have reason to believe that

this will be done, and that in the early Fall the road will be completed to Paint Rock. Whether it is possible to finish the other line to Pigeon river simultaneously with the completion of the Paint Rock division, I am unable to answer satisfactorily to myself, until I shall have had an opportunity to examine the profiles and the present condition of the work.

Fifth. "Any sale or disposition by lease or otherwise by Best and his associates of said road, and to whom made, when and upon what terms."

No sale or other disposition of said road "by lease or otherwise" has been made "by Best and his associates," except as set forth in the agreements referred to in my answer to inquiry No. 1. As all the papers in relation to that transaction have been filed with the Senate committee on Internal Improvements, and have been ordered to be printed, I deem it unnecessary to go into further details.

I have the honor to remain,

Respectfully, your ob't servant,

W. J. BEST,

President W. N. C. R. R. Company.

PHYSICAL CONDITION OF THE ROAD.

2nd. The number of miles of railroad graded and completed by said Best and his associates; the quantity of iron placed on said road by them in repairing the same; the number of miles graded by them west of the French Broad river on the Ducktown line of said road; the number of miles graded by them north of Asheville, on the Paint Rock line of said road; the condition of said road situate between the towns of Salisbury and Asheville, and the character of the rolling stock on the same.

When I asked the Senate for permission to employ an expert to get the facts involved in the inquiries under this head, I was acting in perfect good faith, as there was no other source to which I had a *right* to apply. When the road belonged to the State, I had a *right* to call upon any officer of the Company for any information I wanted, and it was his duty to furnish it. But not so now. I have no more right to call upon the officers of this road than I have

to call upon any others, except for such information as may be necessary to see that the contract is complied with.

Upon a careful reading of the Act under which this road was sold and the contract made in pursuance thereof, it will be seen that the only duty imposed upon me is to see that all money due the State is paid, and that the new road is completed to the points and by the time set out in the contract. Beyond this, I have neither sought nor received information as to the condition of the road or the affairs of the Company, but have contented myself with the knowledge of the fact that the contract was being complied with; a compliance with it being, in my opinion, the only thing about which there was any need to be solicitous, or about which I had the right to make any official inquiry. Nowhere am I required or expected to know anything about the condition of or repairs to the road or the rolling-stock thereon. In addition to this, even if I had thought myself vested by law with authority to call upon the officers of the road in question for the desired information, it seemed to me preferable, in view of the scope and tenor of the inquiries of the resolution, to get such information from persons in no way connected with the subject matter of investigation, if it were possible. The Senate having decided otherwise, however, as I am unofficially informed, there was then no other course left open to me but to ask the officers of the Company, as a matter of courtesy, to report to me the condition of their property; and I accordingly at once initiated the following correspondence:

[COPY.]

EXECUTIVE DEPARTMENT,
RALEIGH, N. C., February 15th, 1881.

MAJ. J. W. WILSON,

Chief Engineer W. N. C. R. R. :

I will thank you to report to me at once "the number of miles of railroad graded and completed by said Best and his associates; the quantity

of iron placed on said road by them in repairing the same; the number of miles graded by them west of the French Broad river, on the Ducktown line of said road; the number of miles graded by them north of Asheville, on the Paint Rock line of said road; the condition of said road situate between the towns of Salisbury and Asheville, and the character of the rolling stock on the same."

I desire this information to lay before the Senate, in response to a resolution, and will thank you to answer at once and by mail.

THOS. J. JARVIS.

COL. A. B. ANDREWS,

Vice President W. N. C. R. R. :

As Mr. W. J. Best, President of the Company, is not at this time in the State, so that I can communicate with him, will you be kind enough to direct Maj. Wilson, your Chief Engineer, to furnish me with the information in detail and as accurately as possible, sought to be had by the above request.

Truly yours,

THOS. J. JARVIS.

[COPY.]

WESTERN NORTH CAROLINA RAILROAD COMPANY,
Chief Engineer's Office,
MORGANTON, N. C., Feb. 15, 1881.

To His Excellency, THOS. J. JARVIS, *Governor:*

DEAR SIR: I have the honor to submit the following report as to the condition of the Western North Carolina Railroad, and the progress made in its construction by the present owners.

The five engines owned by the Company at the time of the sale have, with one exception, all been put in good condition. Two additional engines have been furnished, and of box and flat cars a sufficient number to do all our business with reasonable dispatch. Upwards of 50,000 new ties have been substituted for the old and rotten. Had all been placed in one section it would have made twenty miles entirely new.

About 600 tons of new iron has been purchased; a part was used in extending the track from Long's, the terminus at the time of the sale, to Asheville; the remainder in making the change at Newton, and replacing worn rails; which, together with the large number of ties supplied, has very greatly improved the condition of the road-bed. The bridge over the Swannanoa river will be ready for the iron this week, and the track at once extended $8\frac{1}{2}$ miles beyond Long's to Smith's bridge, and the intersection of the Ducktown and Paint Rock lines. On the Ducktown

division only about one mile is finished, the grading being very heavy. The Paint Rock division has 12 miles nearly finished, making in the aggregate 21½ miles of grading completed by the present owners. And it gives me pleasure to add that the work is being done in a substantial manner.

Very respectfully, your obedient servant,

JAS. W. WILSON,
Chief Engineer.

NUMBER OF CONVICTS

3rd. The number of convicts furnished to William J. Best and his associates, from time to time, in pursuance of said act.

The following correspondence will answer this question :

[COPY.]

EXECUTIVE DEPARTMENT,
Raleigh, Feb. 14th, 1881.

W. J. HICKS, ESQ., *Warden Penitentiary:*

DEAR SIR: I desire you to report to me at as early a day as possible, "the number of convicts furnished to W. J. Best and his associates, from time to time, in pursuance of the Act of 29th of March, A. D. 1880."

Truly yours,

THOS. J. JARVIS.

[COPY.]

NORTH CAROLINA STATE PENITENTIARY,
Raleigh, N. C., Feb. 15, 1881.

To His Excellency, THOS. J. JARVIS, Governor N. C.:

DEAR SIR: In reply to your favor of the 14th inst., making inquiry as to the number of convicts furnished to W. J. Best and his associates, from time to time, according to Act of Assembly of March 29, 1880, I have the honor to report that there were on the Western North Carolina Railroad, March 29, 1880, 379 and have been sent to the road since:

In April,.....	5
In May, June and July,.....	5
In August, September and October,.....	149
In November, December and January,.....	230
Making a total sent of.....	389

Of the.....	768
The following numbers have died, escaped, been discharged, pardoned and returned to the Penitentiary:	
April,.....	20
May, June and July,.....	78
August, September and October,.....	83
November, December and January,.....	44 225

Leaving on the road, Feb. 1, 1881,..... 543con's
 Out of this number must be deducted convicts for cooking, washing,
 &c., and the unsound.

The daily average for the entire time has been $346\frac{87}{134}$ at work on rail
 road.

Respectfully submitted,

W. J. HICKS,
Architect and Warden.

AMOUNT OF MONEY PAID TO THE STATE AS HIRE.

4th. The amount of money paid to the State as hire for
 such convicts.

This question is also answered by correspondence as fol-
 lows:

[COPY.]

EXECUTIVE DEPARTMENT,
 RALEIGH, February 14th, 1881.

W. J. HICKS, ESQ.,
Warden Penitentiary:

DEAR SIR: I desire you to report to me at as early a day as possible,
 "the amount paid to the State as hire for such convicts" by W. J. Best
 and his associates, from the 29th of March, A. D. 1880.

Very truly,

THOS. J. JARVIE

[COPY.]

NORTH CAROLINA STATE PENITENTIARY,
 RALEIGH, N. C., February 15, 1881.

To His Excellency THOS. J. JARVIS,
Governor of North Carolina:

DEAR SIR: In reply to your favor of the 14th inst., making inquiry

in regard to "the amount of money paid to the State as hire for convicts by W. J. Best and his associates, from March 29th, A. D. 1880," I have the honor to report: That bills against W. J. Best and his associates have been furnished the State Treasurer from this office for collection as follows:

From March 29th to July 1st, 1880.....	\$12,771 22
From July 1st to October 1st, 1880.....	9,175 34
From October 1st, 1880, to February 1st, 1881.....	14,574 66

Making a total sent of..... \$36,521 22

Respectfully submitted,

W. J. HICKS,
Architect and Warden.

[COPY.]

EXECUTIVE DEPARTMENT.
RALEIGH, February 15th, 1881

HON. J. M. WORTH, *State Treasurer:*

DEAR SIR: Will you please report to me the amount of money paid to the State as hire for convicts by W. J. Best and his associates, under the Act of the 29th of March, 1880.

Truly yours,

THOS. J. JARVIS.

[COPY.]

TREASURY DEPARTMENT,
RALEIGH, February 15, 1881.

His Excellency, THOS. J. JARVIS, Governor:

SIR: In response to your communication of this date, requesting me to report to you "the amount of money paid to the State as hire for convicts by W. J. Best and his associates, under the Act of the 29th March, 1880," I inform you that there have been four payments on this account, amounting in the aggregate to \$36,521.22.

May 28, 1880.....	\$10,041 67
October 30, 1880.....	2,729 55
January 3, 1881.....	9,175 34
February 14, 1881.....	14,574 66

\$36,521 22

Very respectfully,

J. M. WORTH,
State Treasurer.

AMOUNT EXPENDED BY STATE FOR SUPPORT, ETC.

5th. The amount of money expended by the State for the support and care and keeping of such convicts while so hired.

The following correspondence likewise answers this question :

[COPY.]

EXECUTIVE DEPARTMENT,
RALEIGH, February 14th, 1881.

W. J. HICKS, ESQ., *Warden Penitentiary:*

DEAR SIR: Please report to me "the amount of money expended by the State for the support and care and keeping of such convicts," while so hired to W. J. Best and his associates.

Yours truly,

THOS. J. JARVIS.

[COPY.]

NORTH CAROLINA STATE PENITENTIARY,
RALEIGH, N. C., February 15th, 1881.

To His Excellency, THOS. J. JARVIS,

Governor of North Carolina:

DEAR SIR:—In reply to your favor of the 14th inst., making inquiry as to "the amount of money expended by the State for the support and care and keeping of the convicts while so hired to W. J. Best and his associates," I have the honor to submit that the entire expense of maintaining convicts on the Western North Carolina Railroad, from March 29th, 1880, to February 1, 1881, has been thirty-four thousand seven hundred and eighty-seven dollars and ninety-one cents.

Respectfully submitted,

W. J. HICKS,
Architect and Warden.

AMOUNT PAID STATE FOR INTEREST ON BONDS.

6th. The amount of money paid into the Treasury by them, to be applied in payment of the interest upon the first

mortgage debt of the late "The Western North Carolina Railroad Company."

For answer to this question, I refer to the following correspondence:

[COPY.]

EXECUTIVE DEPARTMENT,
RALEIGH, February 15th, 1881.

HON. J. M. WORTH, *State Treasurer*:

DEAR SIR:—I will thank you to report to me "the amount of money paid into the Treasury by them" (W. J. Best and his associates) "to be applied in payment of the interest upon the first mortgage debt of the late 'The Western North Carolina Railroad Company.'"

Yours very truly,

THOS. J. JARVIS.

[COPY.]

TREASURY DEPARTMENT,
RALEIGH, February 16th, 1881.

His Excellency, THOS. J. JARVIS, *Governor*:

SIR:—In response to your inquiry, I inform you that "the amount of money paid into the Treasury by W. J. Best and his associates, to be applied in payment of the interest upon the first mortgage debt of the late 'The Western North Carolina Railroad Company,'" is thirty-four thousand seven hundred and eight dollars and thirty-three cents.

Very respectfully,

J. M. WORTH,

State Treasurer.

DISPOSITION MADE, OR TO BE MADE, OF THE \$30,000.

7th. The disposition made, or to be made, of the thirty thousand dollars deposited by said Best to the credit of the State.

This question is answered by extracts from letters enrolled on my letter-book, and the following correspondence:

EXTRACT FROM LETTER TO W. J. BEST, DATED JAN. 13TH, 1880.

“To call the Legislature together is assuming a very grave responsibility; and to justify myself in so doing, I must have a substantial, tangible guaranty, which can be reached in this State: and for this purpose, I shall require that you deposit in the Citizens' National Bank in this city, thirty thousand dollars, to be held by the bank for the following purposes and subject to the following conditions, viz: 1. If the Legislature declines to adopt your proposition, the deposit to be subject immediately to your order. 2. If the Legislature does adopt your proposition and you fail to close the contract or purchase as agreed upon, the Treasurer of the State shall apply the deposit to the payment of the expenses of the session of the Legislature. 3. If the proposition is adopted and closed according to agreement, the deposit to remain as a further security for the payment of the interest on the eight hundred and fifty thousand dollars, first mortgage bonds now outstanding (and which you agree to pay), until the said bonds are paid and cancelled.”

EXTRACT FROM LETTER TO COUNCIL OF STATE, DATED FEB.
21ST, 1880.

“I have required Mr. Best to make a deposit of thirty thousand dollars on the conditions in my letter of January 13th, which you will find upon my letter book. All the details of this deposit and the supervision of the same I shall leave with the State Treasurer, and shall rely upon his written authority that it has been properly made.”

[COPY.]

EXECUTIVE DEPARTMENT,
RALEIGH, Feb'y 15th, 1881.

HON. J. M. WORTH, *State Treasurer*:

DEAR SIR: Will you be kind enough to report to me “the disposition made or to be made of the thirty thousand dollars deposited by said Best to the credit of the State?”

Truly,

THOS. J. JARVIS.

[COPY.]

TREASURY DEPARTMENT,
RALEIGH, Feb. 18th, 1881.*His Excellency, THOS. J. JARVIS, Governor:*

SIR: In response to your communication asking me to report to you "the disposition made or to be made of the thirty thousand dollars deposited by Wm. J. Best to the credit of the State," I refer you to a communication which I addressed to you on the 21st of February, 1880, of which the following is a copy:

"I have this day received a certificate of deposit for thirty thousand dollars, given by the United States Trust Company, of New York, to Wm. J. Best, and transferred to me, as State Treasurer, by him, said amount being held by me for the protection of the interest of the State in the matter of the sale of the Western North Carolina Railroad, the condition upon which said deposit is made being known to you. I herewith enclose a copy of the condition of the deposit.

(Signed)

"J. M. WORTH,
"State Treasurer."

The certificate of deposit referred to in my above recited letter was placed at once in the Citizens' National Bank of this city for collection.

I also handed the officers of said bank a copy of the conditions upon which the deposit was to be held and which were the same as the copy delivered to you on the 21st of February, 1880, and referred to in my letter of that date. These conditions are fully set out in a letter addressed by W. J. Best, dated February 21st, 1880, to John A. Stewart, Esq., President United States Trust Company, city of New York, a copy of which is herewith enclosed, in connection with the following letter of the officers of the Citizens' National Bank:

"CITIZENS' NATIONAL BANK,
RALEIGH, N. C., March 3d, 1880.

HON. J. M. WORTH, *State Treasurer, Raleigh, N. C.:*

DEAR SIR: I herewith hand you a copy of the conditions upon which W. J. Best and others deposited in this bank thirty thousand dollars, which we agree to hold on deposit in said bank until said conditions are complied with:

[COPY OF THE CONDITIONS.]

“RALEIGH, N. C., Feb’y 21st, 1880.

“JOHN A. STEWART, ESQ.,

President United States Trust Co., New York:

“DEAR SIR: Please take notice that I have this day assigned to J. M. Worth, Esq., Treasurer of the State of North Carolina, a certificate of deposit for thirty thousand dollars, issued by the United States Trust Co., January 21st, 1880, and made payable to the order of myself and James D. Fish jointly. I have signed the name of Mr. Fish by authority of a power of attorney heretofore filed with your Company. Following are the conditions upon which said certificate is assigned:

“1st. If the Legislature of North Carolina shall be convened in special or extra session, and shall decline to ratify the draft of an act heretofore submitted by me, embodying my offer to purchase the interest of said State in the Western North Carolina Railroad, the assignment of said certificate to be null and void, and the amount thereof, together with the interest thereon, to be subject immediately to the order of myself and said James D. Fish jointly.

“2nd. If the Legislature of said State shall be convened in special or extra session, and shall ratify the aforesaid act, I and my associates are to close a contract to purchase the interest of said State in said railroad, in accordance with the provisions of said act, or failing so to do, the amount of said certificate of deposit, with the interest thereon, shall be withdrawn by the Treasurer of said State and applied to the payment of the expense of said special or extra session of the Legislature.

“3rd. If the Legislature of said State shall be convened in special or extra session, as aforesaid, and shall ratify the act submitted by me, I and my associates closing a contract to purchase said railroad as provided by said act, said certificate of deposit is to remain in the name and to the credit of the Treasurer of said State, as security for the payment of the interest on \$850,000 first mortgage bonds now outstanding as a lien upon the property of said company, until said mortgage bonds shall be paid.

“4th. If the Legislature of said State shall ratify said act as it now is, or with such amendments as I shall approve, the contract to be made according to said act is to be signed by me, W. R. Grace, James D. Fish, and J. Nelson Tappan, or other gentlemen equally satisfactory to the commissioners provided for in section (1) one of said act, and should failure be made in this regard, said certificate of deposit shall be forfeited to said State.

‘I herewith enclose a copy of the act spoken of above.

‘Yours respectfully,

‘W. J. BEST.

"The conditions of the assignment of the certificate of deposit above referred to are correctly stated by Mr. Best.

"J. M. WORTH, *State Treasurer.*

"THOS. J. JARVIS, *Governor.*

Very respectfully,
Your obedient servants,

W. E. ANDERSON,
President Citizens' National Bank.
P. A. WILEY, *Cashier.*"

I transmit a copy of a communication from W. E. Anderson, President of the Citizens' National Bank, which is as follows :

"CITIZENS' NATIONAL BANK,
RALEIGH, N. C., March 3d, 1880.

"DR. J. M. WORTH, *State Treasurer, Raleigh, North Carolina :*

"DEAR SIR: We have collected the thirty thousand dollars referred to in annexed communication, and will hold the same subject to the conditions of a letter addressed by W. J. Best to John A. Stewart, President United States Trust Company of New York, dated 21st February, 1880.

Yours truly,

W. E. ANDERSON,
President.

So the certificate of deposit referred to in my letter was paid in cash, and the \$30,000 in money are now in the vault of the Citizens' National Bank, of this city.

The agreement of the President and Cashier of the bank to hold the said thirty thousand dollars until the conditions of the deposit are fully complied with, is on file in this office.

The first, second and fourth conditions have been complied with.

This money is now held as a security for the performance of the third condition, and will be so held unless otherwise ordered by the General Assembly.

Very respectfully,

J. M. WORTH,
State Treasurer.

The \$850,000 first-mortgage bonds referred to in the third condition were issued in 1875, and are fifteen year bonds. They will not fall due until 1890, and the interest at seven per cent. is guaranteed by the State by making the coupons receivable in taxes. One of the conditions of the contract

of Best and associates is, that they shall pay the interest on said bonds; and failing so to do, the deed and all the rights they acquired under it are forfeited. The \$30,000 will be held for the next nine years, as it now is, as an additional security for the payment of this interest, unless these bonds are taken up and cancelled before their maturity, or unless the Legislature, on the part of the State and Best and associates, shall agree differently.

CONCLUSION.

One year ago to-day I issued my proclamation calling the Legislature together in extra session to consider a proposition for the purchase of the State's interest in the Western North Carolina Railroad.

My whole connection with the matter prior to that date is of record in the Executive office. All that I have learned about the road and its management since that date I have fully and freely communicated to the Senate.

At no time have I ever had any secrets or felt that I had a right to have any concerning this property either before or since its sale. I have at all times been ready and willing to tell the humblest citizen of the State all I knew about it.

Notwithstanding this, from the day I called the Legislature together, to give the people an opportunity to speak their will concerning this property to this, I have been misrepresented, maligned, and traduced for doing what I then believed and what I now believe my plain, simple duty.

All the more on this account do I regret that, in responding to your inquiries to-day, I have been compelled to use the statements of those who, like myself, are involved in the doubt and suspicion, of the existence of which the adoption of your resolution seems to give evidence.

Holding myself ready at all times to respond promptly

and as fully as I am able to any and all of your inquiries, I am, very truly,

Your obedient servant,

THOS. J. JARVIS.

On motion of Mr. York, it was ordered printed.

SPECIAL ORDER.

S. B. 555, bill concerning representation in the House of Representatives, was taken up on its second reading, it being the special order for this hour.

The bill passed its several readings and was ordered engrossed.

SPECIAL ORDER.

S. B. 459, bill to revise and consolidate the public school laws of this State, was taken up on its second reading, it being the second special order for to-day.

On motion of Mr. Mebane, the Senate went into Committee of the Whole upon the consideration of the bill, Mr. Staples in the chair.

The Senate in committee having risen, reported to the Senate through the chairman, that the Senate in Committee of the Whole had had under consideration

S. B. 459, bill to revise and consolidate the public school laws of the State, and had made considerable progress in, but not concluded its consideration, and asked that the committee may sit again.

Mr. York, by consent, introduced

Resolution providing for night sessions of the Senate.

Mr. Richardson moved to postpone the consideration of the resolution until to-morrow at 2 o'clock, P. M.

Mr. Staples moved to lay the motion to postpone on the table, which prevailed.

The hour of three o'clock P. M., having arrived, the Senate was declared adjourned.

FORTY-THIRD DAY.

SENATE CHAMBER, February 23d, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Messrs. Faison, Stowe and York : Petitions relative to prohibition. Referred to the committee on Prohibition.

By Mr. Battle : Petitions from citizens and the board of commissioners of Warren county against the proposed county of Vance. Placed upon the Calendar.

By Mr. Carter : Petition of citizens of Warren county against the proposed county of Vance. Placed upon the Calendar.

By Mr. Carter : Petition from citizens of Judkins township, Warren county, asking the appointment of R. E. Ballard a justice of the peace for said township. Referred to the committee on Justices of the Peace.

By Mr. Harper : Memorial from the North Carolina State Grange relating to the Experimental Station and other features of the Department of Agriculture. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Clarke : Petition from certain citizens of Craven

county praying the repeal of the tax on religious books. Referred to the committee on Finance.

By Mr. Cuningham: Petition of citizens of Nutbush township, Warren county, against the proposed county of Vance. Placed on the Calendar.

By Mr. King: Petitions of citizens of LaGrange against the appointment of a cotton weigher. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Corporations:

By Mr. Lockhart: H. B. 292, S. B. 530, bill to amend an act to incorporate the North Western Railroad Company, Laws of 1866-'67, recommending it do pass.

H. B. 306, S. B. 503, bill to amend Battle's Revisal, chapter 41, section 10, lines 3 and 4, recommending it do not pass.

H. B. 726, S. B. 571, bill to amend the Elizabeth City and Norfolk Railroad Company, reporting an amendment, and as amended, recommending it do pass.

By Mr. Harper: H. B. 461, S. B. 577 $\frac{1}{2}$, bill for the relief of the town of Fayetteville, and to enable it to compromise its debt, recommending it do pass.

H. B. 475, S. B. 505, bill to incorporate the town of Sydney in the county of Columbus, recommending it do pass.

By Mr. Stowe: S. B. 562, bill to amend the charter of the town of Statesville, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Burwell: S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the Northwestern North Carolina Railroad, and other roads in this State, reporting an amendment, and as amended, recommending it do pass.

From the committee on Finance:

By Mr. King: H. B. 224, S. B. 286, bill giving aid to the

North Carolina Industrial Association, reporting it back without recommendation.

By Mr. Faison : H. B. 529, S. B. 424, bill to pay Louis Hilliard and Thomas J. Wilson for services as Judges of the Superior Courts, recommending it do pass.

From the committee on Education :

By Mr. Merritt : S. B. 69, bill to revise and consolidate the public school law of North Carolina, recommending it do not pass.

From the committee on Judiciary :

By Mr. Dortch : S. B. 105, bill to give the lien of laborers priority over all liens, except the landlord's lien for rent ; and

S. B. 371, bill to amend the landlord and tenant act,

Reporting a substitute therefor, recommending the substitute do pass.

From the committee on Claims :

By Mr. Oates : S. B. 85, bill to commute, compromise and settle certain claims against the State of North Carolina, recommending it do not pass.

The committee on Engrossed Bills reported as properly engrossed

S. B. 542, bill to incorporate the United Sons of Liberty ;

S. B. 431, bill to incorporate the Charlotte City Water Works Company ;

S. B. 462, bill to incorporate Cape Fear Lodge No. 1,841 of the Grand United Order of Odd Fellows, in the town of Smithville, Brunswick county, N. C. ;

S. B. 488, bill to incorporate Mount Lebanon Lodge, No. 25, Free and Accepted Masons, of Tarboro, N. C. ;

S. B. 560, bill for the completion and support of the several Insane Asylums of the State ;

S. B. 541, bill to divide the town of Smithfield in Johnston county into separate wards, and for other purposes ;

S. B. 493, bill for the better protection of farmers and fishermen ;

S. B. 568, bill for the better government of the North Carolina Asylum ;

S. R. 446, resolution to amend the joint rules.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Williamson of Davie: S. B. 613, bill for the better protection of persons holding life insurance policies in this State. Referred to the committee on Insurance.

By Mr. Dever: S. B. 614, bill to authorize the commissioners of Haywood county to levy a special tax. Referred to the committee on Propositions and Grievances.

S. R. 615, resolution in favor of witnesses on the part of the State in the case of *The State vs. G. W. Swepson*. Referred to the committee on Propositions and Grievances.

By Mr. Faison: S. B. 616, bill to prevent the sale of liquors within five miles of Warsaw High School, Duplin county. Referred to the committee on Prohibition.

By Mr. Jenkins: S. B. 617, bill to authorize the board of commissioners of Granville county to levy a special tax. Referred to the committee on Finance.

By Mr. York: S. R. 618, resolution to pay the employees of the General Assembly. Placed on the Calendar.

By Mr. Jenkins: S. B. 619, bill for the relief of B. F. Bullock, late sheriff of Granville county. Referred to the committee on Finance.

By Mr. Williamson of Davie: S. B. 619½, bill to prevent the sale of liquor within two miles of Christ's Evangelical Lutheran church and St. Mary's chapel, in Rowan county. Referred to the committee on Prohibition.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the refusal of that body to pass

S. B. 267, H. B. 553, bill for the relief of Robt. M. Stafford and others.

Also, transmitting without engrossment

H. B. 250, S. B. 620, bill to incorporate the Western Insane Asylum. Placed on the Calendar.

Also, transmitting engrossed

H. B. 599, S. B. 621, bill to authorize the commissioners of Columbus county to levy a special tax. Referred to the committee on Finance.

H. B. 638, S. B. 622, bill to authorize the commissioners of Macon county to raise revenue. Placed on the Calendar.

H. B. 697, S. B. 623, bill to enable the board of justices of the peace of Chatham county to build a new court house. Referred to the committee on Finance.

H. B. 463, S. B. 624, bill declaring Hiawasse river a lawful fence. Placed on the Calendar.

H. B. 311, S. B. 625, bill to authorize the county commissioners of Dare county to provide for the support of the poor of said county. Referred to the committee on Propositions and Grievances.

H. B. 116, S. B. 626, bill to require owners and lessees of cotton gins to keep them so enclosed as to turn swine and stock going at large. Referred to the committee on Propositions and Grievances.

H. R. 116, S. R. 627, resolution in relation to the acts of this General Assembly in regard to crimes and offences against the State. Placed on the Calendar.

H. B. 578, S. B. 628, bill to amend section 4, chapter 80, Private Laws of 1879. Referred to the committee on Propositions and Grievances.

H. B. 678, S. B. 629, bill to change the name of the town of Quehele in Robeson county to that of Shoe Hill. Referred to the committee on Propositions and Grievances.

H. B. 409, S. B. 630, bill to abolish fences in Wake county. Referred to the committee on Propositions and Grievances.

H. B. 420, S. B. 631, bill to repeal chapter 41, Laws of

1879, relating to attorneys. Referred to the committee on Judiciary.

H. B. 751, S. B. 632, bill to authorize the board of county commissioners of Perquimans county to levy a special tax. Referred to the committee on Finance.

H. B. 543, S. B. 633, bill to carry into effect certain provisions of the constitution of the State in regard to the University. Placed on the Calendar.

THE CALENDAR.

Bills upon the Calendar were taken up and disposed of as follows :

H. B. 262, S. B. 249, bill to repeal chapter 128, Laws of 1874-'75, passed its third reading and was ordered enrolled.

H. B. 258, S. B. 417, bill to authorize the town of Salisbury to aid in the completion of its graded school house, passed its third reading, ayes 39, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuningham, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn, Hampton, Harper, Harris, Jenkins, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spruill, Staples, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—39.

S. B. 459, bill to revise and consolidate the public school laws of this State, on its second reading.

On motion of Mr. Merritt, the Senate resolved itself in Committee of the Whole for the consideration of the bill.

The Senate, sitting in Committee of the Whole, (Mr. Staples in the chair,) proceeded with the consideration of the bill.

The committee having risen, reported through its chairman to the Senate, that the committee had had under consideration

S. B. 459, bill to revise and consolidate the public school laws of this State, and recommended the adoption of the pending substitute, as amended by the committee.

The substitute was then adopted. The question recurred upon the passage of the bill its second reading.

Mr. Glenn offered the following substitute for section 9 :

“SEC. 9. It shall be the duty of each County Board of Education with the County Superintendent of Public Instruction, together with two experienced teachers to be selected by each County Board, to prescribe a series of text books and books of reference, which shall be used in the public schools of the-county for a term of five years, and until otherwise ordered: *Provided*, That any change made necessary by the provisions of this section, shall be made in such time as shall not work great inconvenience or extra expense to parents, guardians and pupils, but as old books are worn out the new books used must be of the prescribed series: *And provided further*, That no sectarian or political text books shall be used in the public schools of any county in the State.”

On which he demanded the ayes and noes, which were ordered, and the substitute was adopted, ayes 30, noes 13, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carter, Clarke, Dever, Eaves, Faison, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, King, McMillan, Mebane, Newland, Newsom, Oates, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Wynne and York—30.

Those voting in the negative were

Messrs. Carr, Cuningham, Davidson, Dickey, Dortch, Finger, Lockhart, Manning, Merritt, Parish, Respass, Whitaker and Williamson of Davie—13.

Mr. Lockhart moved to amend section 10: Strike out all after the word "office" in line 19, down to and including the word "appropriated," in line 31. Adopted.

Mr. Newland moved to amend section 10: Strike out all from and including the word "the" in line 31, to and including the word "appropriated" in line 36. Adopted.

Mr. Davidson moved to amend section 15: Add at the end of the section the following: "And a majority of the board shall constitute a quorum for the transaction of business." Adopted.

Mr. Williamson of Edgecombe moved to amend section 24: In line 5, insert the following between the words "act" and "if:" "For each school district for white children the committee herein provided for shall be composed of white persons, and for each school district for colored children the committee herein provided for shall be composed of colored persons: *Provided*, A majority of the electors of any district shall petition the Board of Education for the same." Lost.

Mr. Williamson of Edgecombe moved to amend section 34: In line 5, strike out the words "superior court," and insert the words "any court of record having criminal jurisdiction." Adopted.

Mr. Parish moved to amend section 35: Insert after the word "levied" in line 4, the words, "less such sum or sums as may be allowed on account of insolvents." Adopted.

Mr. Burwell moved to strike out section 38. Adopted.

Mr. Newland moved to amend section 48: Strike out from and including the word "three," in line 3, down to and including the word "position" in line 5, and insert "two dollars per day for all days necessarily engaged, not to exceed twenty-five days." Adopted.

Mr. Manning moved to amend section 48: Strike out all after the word "*provided*" in line 12, and insert "That the County Board of Education shall have authority to reduce the

amount of compensation when, in their judgment, it is exorbitant."

Mr. Burwell offered the following substitute for the amendment:

"That the County Board of Education shall have authority to reduce or increase the amount of compensation."

Adopted.

On the amendment as substituted, the ayes and noes were ordered, and the amendment was adopted, ayes 27, noes 9, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Cuningham, Davidson, Dever, Dortch, Finger, Glenn, Gudger, Hampton, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Parish, Respass, Richardson, Scott of Rockingham, Staples, Tucker, Williamson of Edgecombe and York—27.

Those voting in the negative were

Messrs. Eaves, Jenkins, McMillan, Newland, Newsom, Pridgen, Scott of New Hanover, Stowe and Wynne—9.

Mr. Scott of New Hanover moved to amend section 53: Strike out the words "fifteen dollars per month," and insert "twenty dollars per month." Lost.

Mr. Burwell moved to amend section 62: Strike out "fifteen" and insert "eight and one-third;" strike out "forty-five" and insert "twenty-five," on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 17, noes 25, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Cuningham, Dortch, Eaves, Hampton, King, Lockhart, Manning, McMillan, Newland, Oates, Richardson, Stowe, Wynne and York—17.

Those voting in the negative were

Messrs. Battle, Carr, Carter, Clarke, Davidson, Dickey, Faison, Finger, Foil, Glenn, Gudger, Harris, Jenkins, Me-

bane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Tucker, Whitaker and Williamson of Edgecombe—25.

Mr. Lockhart moved to amend section 62: Strike out "fifteen" and insert "ten;" strike out "forty-five" and insert "thirty," on which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 24, noes 18, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Cuninghame, Davidson, Dortch, Eaves, Faison, Glenn, Gudger, Hampton, Harris, Jenkins, King, Lockhart, Manning, McMillan, Newland, Oates, Richardson, Scott of Rockingham, Stowe, Wynne and York—24.

Those voting in the negative were

Messrs. Battle, Carr, Carter, Clarke, Dickey, Finger, Foil, Harper, Mebane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Spruill, Tucker, Whitaker and Williamson of Edgecombe—18.

Mr. Mebane moved to amend section 63: Strike out the word "four" and insert "six." Lost.

Mr. Glenn moved to amend section 63: Strike out in line 6 the word "shall" and insert "may"; on which

Mr. Mebane demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 21, noes 19, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Cuninghame, Dortch, Glenn, Gudger, Hampton, Harper, Harris, King, Lockhart, Manning, McMillan, Newland, Oates, Richardson, Scott of Rockingham, Staples, Tucker and York.—21.

Those voting in the negative were

Messrs. Carr, Carter, Clarke, Davidson, Dickey, Eaves, Finger, Foil, Jenkins, Mebane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Spruill, Whitaker, Williamson of Edgecombe and Wynne—19.

Mr. Parish moved to strike out section 65. Adopted.

Bill then passed its second reading, ayes 36, noes 3, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Davidson, Dickey, Dortch, Glenn, Gudger, Hampton, Harper, Harris, Jenkins, King, Lockhart, Manning, McMillan, Mebane, Newland, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Tucker, Whitaker, Williamson of Edgecombe, Wynne and York—36.

In the negative, Messrs. Eaves, Finger and Merritt—3.

SPECIAL ORDER.

S. B. 141, bill to create a new county to be called Vance, was taken up, it being the special order for to-day.

On motion, the bill was postponed until Friday at 12 o'clock M., and made the special order for that hour.

S. R. 278, resolution in relation to Yorktown was taken up on its second reading, it being the second special order for to-day

Mr. Cuninghame moved to strike out "three thousand dollars" and insert "one thousand dollars."

On motion of Mr. York, the resolution was laid on the table.

The motion to reconsider the vote by which

S. B. 347, bill to provide for the erection of a Supreme Court and Library building and a Governor's residence, failed to pass its second reading, being the third special order for to-day, was taken up, and

On motion of Mr. Glenn, was postponed until to-morrow at 2 P. M., and made the special order for that hour.

The hour of 3 o'clock P. M., having arrived, the Senate adjourned.

FORTY-FOURTH DAY.

SENATE CHAMBER, February 24th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was read and approved.

Mr. Finger asked and obtained unanimous consent to appear on the Journal of yesterday as voting in the negative on the second reading of S. B. 452.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Blue: Petition from the citizens of Fayetteville in regard to the bonded debt of said town. Placed on the Calendar.

By Mr. Newland: Petition from citizens of Yancey county asking that the sale of liquor be prohibited within two miles of Caney River church. Referred to the committee on Prohibition.

By Mr. Mebane: Petition from citizens of Alamance county asking the passage of a law requiring roads to be worked by taxation.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: H. B. 282, S. B. 448, bill in relation to sealed weights and measures, recommending that it do pass.

By Mr. Manning: S. B. 196, bill to amend chapter 41 of the Acts of Special Session of 1880, recommending that it do pass.

From the committee on Propositions and Grievances :

By Mr. Battle: H. B. 644, S. B. 518, bill to provide for the better working of the public roads in the county of Ashe, with recommendation that it be referred to Judiciary committee. It was so referred.

S. B. 564, bill to exempt from jury duty certain firemen, recommending that it do pass.

S. B. 489, bill to amend the public road law, recommending that it do not pass.

S. B. 442, bill to amend an act incorporating the Medical Association of North Carolina, recommending that it do not pass.

By Mr. Parish: S. B. 242, bill to exempt all graduates of medicine or surgery from the provisions of chapter 258, Laws of 1858-'59, and chapter 117, Laws of 1879, recommending that it do not pass.

H. B. 305, S. B. 504, bill to prevent the sale of ardent spirits to minors, recommending its passage.

H. B. 427, S. B. 521, bill to provide for cotton weighers in the town of Apex, Wake county, and recommending its passage.

By Mr. Oates: H. B. 349, S. B. 514, bill to amend section 1, chapter 242, Laws of 1879, an act to drain certain lands in Lincoln county, recommending its passage.

H. B. 443, S. B. 526, bill to amend chapter 129, Laws of 1879, providing for draining swamp lands in Columbus and Robeson counties, recommending that it do pass.

By Mr. Jones: H. R. 103, S. R. 512, resolution asking our Senators and Representatives in Congress to use their influence to obtain an appropriation to clean out Little river, recommending that it do pass.

S. B. 544, bill to authorize the chairman of the board of commissioners of Onslow county to sign certain orders on the treasurer of said county, recommending its passage.

H. B. 187, S. B. 513, bill to amend chapter 62, Laws of 1880, recommending that it do pass.

From the committee on Corporations:

By Mr. Lockhart: H. B. 582, S. B. 595, bill to incorporate the Cotton and Merchants' Exchange in the town of Goldsboro, recommending its passage.

H. B. 508, S. B. 508, bill to authorize the construction of a turnpike from Black Mountain to Green Pond in Yancey county in this State, recommending its passage.

From committee on Military Affairs:

By Mr. Stowe: S. B. 609, bill to amend chapter 272, Laws of 1876-'77, in regard to the State Guards, recommending that it do not pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Richardson: S. B. 634, bill to enable the county commissioners of Columbus, in their discretion, to regulate the amount of the sheriff or tax collector's bond. Referred to the committee on Finance.

By Mr. Blue: S. R. 635, resolution to our Senators and Representatives in Congress. Placed on the Calendar.

By Mr. Richardson: S. B. 636, bill to amend the act of 1879, concerning the public roads. Referred to the committee on Propositions and Grievances.

By Mr. Hampton: S. B. 637, bill to amend chapter 3, section 1, of the Laws of 1879, entitled an act to amend chapter 102 of the Laws of 1876-'77. Referred to the committee on Propositions and Grievances.

By Mr. Burwell: S. B. 638, bill to amend Battle's Revisal, chapter 27, section 8. Referred to the committee on Judiciary.

By Mr. Staples: S. R. 639, resolution of instruction to the joint committee on the appointment of magistrates. Placed on the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives with the following engrossed bills, and asking concurrence therein :

H. B. 645, S. B. 654, bill to incorporate Union Chapel Church and Camp Ground. Referred to the committee on Corporations.

H. B. 490, S. B. 655, bill to pay jurors of the county of Graham. Referred to the committee on Judiciary.

H. B. 504, S. B. 640, bill to incorporate Shady Grove Methodist Church South in the county of Haywood. Referred to the committee on Corporations.

H. B. 591, S. B. 641, bill to repeal section 14 of chapter 117 of the Laws of 1879. Referred to Judiciary committee.

H. B. 839, S. B. 642, bill in relation to the codification of the Cherokee land laws in the State of North Carolina. Referred to Judiciary committee.

H. B. 762, S. B. 643, bill to incorporate the trustees of Tyson Creek Academy in Chatham county. Referred to committee on Corporations.

H. B. 300, S. B. 644, bill to ascertain the indebtedness of Chowan county. Referred to committee on Finance.

H. R. 119, S. R. 645, resolution to investigate the sale and transfer of Carteret county's stock in the Atlantic and North Carolina Railroad Company. Referred to committee on Propositions and Grievances.

H. B. 698, S. B. 646, bill to amend chapter 36 of the laws of 1874-'75, concerning Graham High School. Referred to committee on Education.

H. B. 667, S. B. 647, bill to amend chapter 118 of Battle's Revisal, so as to include the county of Hyde. Referred to committee on Fish Interest.

H. B. 666, S. B. 648, bill to prevent the felling of timber in Falling creek in Lenoir county. Referred to committee on Propositions and Grievances.

H. B. 708, S. B. 650, bill to protect pilots at Hatteras Inlet from forfeiture of their branch by reason of being absent from the State ten days. Referred to committee on Propositions and Grievances.

H. B. 501, S. B. 649, bill to allow Alexander county, in the Eighth Judicial District, two weeks' term for Superior Court. Placed on the Calendar.

H. B. 774, S. B. 651, bill to incorporate the Bingham School Trust Fund. Referred to committee on Education.

H. B. 761, S. B. 652, bill to incorporate Mill Creek Lodge, No. 125, Free and Accepted Masons. Referred to committee on Corporations.

H. B. 785, S. B. 653, bill to protect fish in Lumber river in the counties of Columbus and Robeson. Referred to committee on Fish and Fish Interest.

Also, message asking concurrence in House amendment to S. B. 301, H. B. 510, bill to provide for revising and digesting the Public Statute Laws of this State. The amendment was concurred in, and the bill, as amended, ordered enrolled.

CALENDAR.

Bills were taken from the Calendar and disposed of as follows:

S. B. 459, on its third reading.

Mr. Finger offered the following substitute for section 9, which was adopted:

“Upon the ratification of this act the State Board of Education shall recommend a series of text books and books of reference to be used in the schools, subject to the adoption of the County Boards of Education of the respective counties. *Provided*, That any changes that may be made necessary by the adoption of any book recommended as above shall be made in such time and in such manner as shall not work

great inconvenience or extra expense to parents, guardians, or pupils, but as the old books are worn out the new books used shall be of the adopted series. *Provided further*, That no sectarian or political text book shall be used in the public schools."

Mr. Mebane offered the following amendment to section 63 :

Amend by striking out the word "four," wherever it occurs, and insert the word *five* : also, strike out the words "as required by article 9, section 3 of the Constitution."

And upon which he demanded the ayes and noes. The amendment was adopted ; ayes 26, noes 16.

Those voting in the affirmative were

Messrs. Carter, Clarke, Cuninghame, Davidson, Dickey, Dortch, Faison, Foil, Glenn, Harper, Jenkins, Jones, Manning, McMillan, Mebane, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe and Wynne—26.

Those voting in the negative were

Messrs. Bernard, Blue, Burwell, Carr, Finger, Gudger, Hampton, Harris, King, Lockhart, Merritt, Newland, Oates, Richardson, Stowe and York—16.

Mr. King offered the following amendment to section 53 : "In line 13 after the word 'committee' add, 'not to exceed forty dollars per month.'"

He called for the ayes and noes, but they were not ordered. The amendment was lost.

Mr. Richardson offered the following amendment to section 53, which was adopted :

"Add after the word 'committee' in line 13, the following : 'Subject to the approval of the county board of education.'"

Mr. Finger offered the following amendment :

Strike out of section 62 the words "ten" and "thirty," and insert in lieu thereof "12½" and "37½."

He demanded the ayes and noes. They were ordered, and the amendment was adopted, ayes 24, noes 21, as follows :

Those voting in the affirmative were

Messrs. Battle, Carr, Carter, Clarke, Davidson, Dever, Dickey, Finger, Foil, Gudger, Hanes, Jenkins, Jones, Mebane, Merritt, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Staples, Tucker, Whitaker, Williamson of Davie and Williamson of Edgecombe—24.

Those voting in the negative were

Messrs. Blue, Burwell, Cuninghame, Dortch, Eaves, Glenn, Hampton, Harper, Harris, King, Lockhart, Manning, McMillan, Newland, Oates, Respass, Richardson, Spruill, Stowe, Wynne and York—21.

The President announced that the hour for the special order had arrived, to reconsider the vote by which

H. B. 119, S. B. 477, a bill to establish and provide for organizing the county of Durham, was indefinitely postponed.

Mr. Richardson asked that the special order be postponed until the bill under consideration was disposed of. There being no objection, the request was granted.

Mr. Williamson of Edgecombe moved to amend section 53 as follows :

"Amend section 53, line 10, by striking out 'fifteen' and inserting therefor 'twenty-five,' and line 11 by striking out 'twenty-five' and inserting 'thirty-five.'"

He asked for the ayes and noes, which were ordered. The amendment failed to pass, ayes 11, noes 31, as follows :

Those voting in the affirmative were

Messrs. Carter, Clarke, Davidson, Dever, Eaves, Jenkins, Mebane, Pridgen, Scott of New Hanover, Williamson of Davie and Williamson of Edgecombe—11.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Glenn, Hampton, Harris, Jones, Lockhart, Manning, McMillan, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Wynne and York—31.

Mr. Clarke offered the following amendment:

“Amend section 53 by striking out ‘\$15.00’ and inserting ‘\$20.20,’ in the second line of said section.”

The amendment failed to pass.

Mr. Cuninghame moved that the previous question be now put. This motion prevailed.

The bill upon its third and final reading passed, ayes 40, noes 2, and it was ordered to be engrossed and transmitted to the House of Representatives:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Carter, Clarke, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Manning, McMillan, Mebane, Newland, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Wynne and York—40.

Those voting in the negative were

Messrs. Burwell and Scott of New Hanover—2.

Mr. Finger moved to reconsider the vote by which S. B. 459 passed its third reading, and moved to lay that motion upon the table.

The latter motion prevailed.

The following bills were announced as having been enrolled and ratified:

S. B. 202, H. B. 551, an act to amend the charter of the Granville Railroad Company.

S. B. 239, H. B. 445, an act to amend chapter 189, Laws of 1875 to regulate the sale of fish.

S. R. 467, H. R. 115, resolution to pay the travelling ex-

penses of the two sub-committees appointed to visit the Morganton and Goldsboro Insane Asylums.

S. B. 4, H. B. 549, an act to protect diamond-back terrapins in the waters of North Carolina, and to regulate the catching of the same.

H. B. 59, S. B. 449, an act to amend an act concerning the toll gate between Franklin, N. C., and Clayton, Ga.

H. B. 725, S. B. 570, an act to provide for the erection of a monument to the late Gov. Richard Caswell.

H. B. 466, S. B. 465, an act to incorporate Ebenezer Presbyterian church of Newbern.

H. R. 114, S. R. 563, a resolution authorizing the joint committee on Prohibition to employ a clerk.

H. B. 233, S. B. 335, an act to give the county commissioners of Pasquotank county the power to levy a special tax.

S. B. 482, H. B. 728, an act to incorporate the Conrad Hill Gold and Copper Company of Davidson county, North Carolina.

S. B. 538, H. B. 769, an act to incorporate the Ore Knob Mineral Railway Company of North Carolina.

S. B. 468, H. B. 769, an act declaring the public roads in Wilkes county, between Brush Hill and the Air Bellows, on top of the Blue Ridge, completed.

S. B. 481, H. B. 721, an act to incorporate the Ore Knob Copper Company, of Ashe county, North Carolina.

Mr. Dortch asked leave of absence for Mr. Faison, Senator from Duplin county. The request was granted.

Mr. Cunningham asked leave of absence for R. M. Furman, Secretary of the Senate, until to-morrow evening. This request was also granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting a communication from His Excellency, the Governor, with

a proposition from J. D. Imboden, attorney, &c., relative to a proposition for the purchase of the State's interest in the Cape Fear and Yadkin Valley Railroad, and proposing to print the usual number of copies for the General Assembly.

The proposition to print was concurred in.

SPECIAL ORDER.

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, was taken up, it being the special order for to-day.

Question was upon the motion to reconsider the vote by which the bill was indefinitely postponed.

Pending consideration,

The hour of three o'clock, P. M., having arrived, the Senate adjourned.

FORTY-FIFTH DAY.

SENATE CHAMBER, February 25th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Richardson: Petition of citizens of Columbus county asking the repeal of the act which prevents the destruction of fish in the White Marsh in Columbus county during the spawning season. Referred to committee on Propositions and Grievances.

By Mr. Hanes: Petition of citizens of Davidson county on the subject of prohibition. Referred to committee on Prohibition.

By Mr. Hanes: Petition of certain citizens of Davidson county asking that the sale of spirituous liquors be prohibited in certain localities. Referred to Prohibition committee.

By Mr. Hanes: Petition to prevent the sale of liquors within three miles of Sandy Creek church in Davidson county. Referred to committee on Prohibition.

By Mr. Carter: Petition of citizens of Warren county against the proposed new county of Vance living in said section. Placed on Calendar.

By Mr. Hampton: Petition of 167 voters of Surry county against a prohibitory law. Referred to committee on Prohibition.

By Mr. Battle, (by request): Petition of citizens of Six Pound township in Warren county, asking that Wm. C. Drake be appointed a justice of the peace in said township. Referred to committee on the Appointment of Magistrates.

By Mr. Cuninghame: Petition of citizens of Warren county against the establishing of the new county to be called Vance. Placed on the Calendar.

REPORTS FROM COMMITTEES.

The committees made reports as follows:

From the committee on Enrolled Bills:

Mr. Scott of Rockingham, reported the following bills as being correctly enrolled:

S. B. 330, H. B. 613, an act to incorporate Shiloh Academy in the county of Davidson;

S. B. 389, H. B. 720, an act to incorporate Spring Shoals Manufacturing Company;

S. B. 244, H. B. 612, an act to incorporate the Rutherfordton, Marion and Tennessee Railway;

S. B. 416, H. B. 619, an act to amend section 28, chapter 199 of the Public Laws of 1871-'72;

S. B. 304, H. B. 606, an act to secure the better drainage of the low lands of Brushy Fork creek and its tributaries in the county of Davidson;

S. B. 406, H. B. 719, an act to incorporate the Grand Lodge of Knights of Honor of North Carolina, and subordinate lodges working under the jurisdiction of said Grand Lodge;

S. B. 370, H. B. 633, an act to incorporate the Carolina Gold Mining Company;

S. B. 372, H. B. 675, an act to authorize the county commissioners of Mitchell county to levy a special tax;

S. B. 288, H. B. 617, an act to amend the charter of the town of Winston;

H. B. 693, S. B. 598, an act to prohibit the sale of intoxicating liquors within two miles of the court-house in the town of Taylorsville, Alexander county;

S. B. 194, H. B. 552, an act to protect clients against fraudulent attorneys;

H. B. 272, S. B. 452, an act to amend the laws in relation to the Caldwell and Watauga Turnpike Company;

H. B. 452, S. B. 395, an act to change the name of Davidson River township in Transylvania county to that of Brevard township;

H. B. 341, S. B. 357, an act to amend the charter of the town of Carthage;

S. B. 352, H. B. 618, an act to incorporate Cowee Baptist church in Macon county;

S. B. 290, H. B. 608, an act to amend section 177 of the Code of Civil Procedure;

H. B. 262, S. B. 249, an act to repeal chapter 128, Laws of 1874-'75.

H. B. 258, S. B. 417, an act to authorize the town of Salisbury to aid in the completion of its graded school house.

S. B. 261, H. B. 614, an act to incorporate Clarendon

Council, No. 67, American Legion of Honor, located in the city of Wilmington.

H. R. 9, S. R. 287, resolution to amend the resolution providing aid for the Orphan Asylum at Oxford, N. C., ratified the 14th day of March, A. D., 1879 ;

S. B. 494, H. B. 716, an act to change the time of holding the superior courts of Jones, Onslow, Wayne and Carteret counties in the third judicial district ;

H. B. 27, S. B. 361, an act authorizing the employment of convict labor upon the highways and streets in the counties, cities and towns in this State ;

H. R. 36, S. R. 236, joint resolution relating to the Agricultural Department and Guano Works ;

S. B. 199, H. B. 721, an act to incorporate the Jonesboro High School ;

S. B. 289, H. B. 525, an act to provide adequate clerical force in the Treasury Department.

From the committee on Finance :

By Mr. Richardson : S. B. 617, bill to authorize the board of county commissioners of Granville county to levy a special tax. Recommend that it do pass.

H. B. 751, S. B. 632, bill to authorize the board of county commissioners of Perquimans county to levy a special tax, and recommend its passage.

By Mr. Newland : H. B. 599, S. B. 621, bill to authorize the commissioners of Columbus county to levy a special tax, and recommend its passage.

By Mr. Manning : S. B. 634, bill to enable the county commissioners of Columbus county in their discretion to regulate the amount of the sheriff or tax collector's bond. A substitute is offered with recommendation that it do pass.

From the committee on Corporations :

By Mr. Scott of Rockingham : S. B. 276, bill to encourage and protect the investment of capital for mining purposes. Recommend that it do not pass.

By Mr. Hanes : S. B. 407, bill to establish and provide for

organizing the county of Coharie from parts of the counties of Johnston, Wayne and Sampson, and recommend that it do not pass.

By Mr. Harper: S. B. 434, bill to incorporate the Newbern Cotton and Grain Exchange. The committee declines to make recommendation.

By Mr. Harper: H. B. 467, S. B. 509, bill to amend the charter of the city of Raleigh. Recommend its passage.

By Mr. Lockhart: H. B. 519, S. B. 531, bill to reduce the corporate limits of the town of Monroe in Union county and for other purposes. Recommend the passage of this bill.

S. B. 492, bill to incorporate the Atlantic and French Broad Valley Railroad Company. With amendments recommend it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: S. B. 577, bill to increase the number of justices of the peace in Beaufort county. Recommend that it do pass.

H. B. 678, S. B. 629, bill to change the name of the town of Quehele in Robeson county to that of Shoe Heel. Recommend that it do pass.

S. B. 461, bill to amend chapter 82 of the Laws of 1879, entitled an act to provide for keeping in repair the public roads of the State so as to allow compensation for working the roads. Recommend that it do not pass.

S. R. 615, resolution in favor of witnesses on the part of the State in the case *State vs. G. W. Swepson*. The committee reports without prejudice.

S. B. 26, bill to repeal so much of chapter 232, Acts of 1879, as relates to Draughan's school house and church in Edgecombe county. Recommend that it do not pass.

S. B. 614, bill to authorize the county commissioners of Haywood county to levy a special tax. Recommend its passage.

H. B. 247, S. B. 294, bill to prevent the felling of trees

and brush in Dally's Gut and Greene's Thoroughfare. The committee presents a substitute with recommendation that it do pass.

S. B. 476, bill to create a new township out of portions of Dallas and Cherryville townships in Gaston county. The committee recommends that the bill do not pass, because the county commissioners now have the power to do what is asked for by the bill.

By Mr. Oates: S. B. 561, bill to lay off and construct a road from Mount Airy in Surry county to Sparta in Alleghany county. Recommend that it do pass.

H. B. 409, S. B. 630, bill to abolish fences in Wake county. Recommend that it do pass.

H. R. 71, S. R. 602, resolution asking our Senators and Representatives in Congress to re-establish the light beacon at Hatteras. Recommend that it do pass.

H. B. 116, S. B. 626, bill to require owners and lessees of cotton gins to keep them so inclosed as to turn swine and stock going at large. Recommend that it do pass.

By Mr. Eaves: S. B. 575, bill to amend chapter 163, Laws of 1871-'72. Recommend that the bill do pass.

S. B. 350, bill for the relief of certain disabled Confederate soldiers. Amend and do pass.

By Mr. Jones: S. B. 589, bill for the relief of jurors in Polk county. Recommend that it do pass.

S. B. 591, bill to prevent the felling of timber in the Nantihala river in Clay and Macon counties. Recommend that it do pass.

S. B. 612, bill to prevent the felling of timber in Valley and Notley rivers. Recommend that it do pass.

By Mr. McMillan: S. B. 590, bill to prevent the felling of timber in Hiwassee river in Clay and Cherokee counties. Recommend that it do pass.

H. B. 311, S. B. 625, bill authorizing the commissioners of Dare county to provide for the support of the poor of said county. Recommend that it do pass.

H. B. 578, S. B. 628, bill to amend section 4, chapter 80 of the Private Laws of 1879. Do pass.

From the committee on Internal Improvements:

By Mr. York: S. B. 576, bill to amend an act to provide for the working of convicts on the Western Railroad, now the Cape Fear and Yadkin Valley Railway, ratified February 27th, 1877, reporting a substitute, and recommending the substitute do pass.

From joint committee on Prohibition:

By Mr. Tucker: S. B. 405, bill to allow married women and widows to vote for the prohibition of spirituous liquors, recommending it do not pass.

S. B. 125, bill to amend an act passed by the General Assembly at its session in 1879, to prohibit the sale of spirituous liquors in certain localities, recommending it do not pass.

S. B. 537, bill to prohibit the sale of intoxicating liquors within one mile of any church or public school-house in North Carolina, recommending it do not pass.

S. B. 535, bill to change the laws of evidence relating to the sale of spirituous and malt liquors, recommending it do pass.

S. B. 536, bill to extend the provisions of chapter 138, Laws of 1873-'74, to counties in the matter of the sale of intoxicating liquors, recommending it do pass.

S. B. 440, bill to prohibit the manufacture and sale of spirituous liquors in the State, recommending it do not pass.

S. B. 441, bill to ascertain whether a majority of the electors of the State are in favor of or against the manufacture and sale of spirituous liquors, recommending it do not pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Lockhart: S. B. 654, bill to amend the Code of Civil Procedure in relation to limitations. Referred to the committee on Judiciary.

By Mr. Wynne: S. B. 655 $\frac{1}{2}$, bill to designate the holidays to be observed, and dates when papers will be due. Referred to the committee on Banks and Currency.

By Mr. Dortch: S. B. 656, bill to amend the charter of the town of Saul's Cross Roads in Wayne county. Placed on the Calendar.

S. B. 657, bill to provide additional clerk hire for Auditor of State. Placed on the Calendar.

By Mr. Scott of New Hanover: S. B. 658, bill to amend section 15, chapter 90, Battle's Revisal. Referred to the committee on Propositions and Grievances.

S. B. 659, bill to amend section 32, revenue bill, 1879. Referred to the committee on Finance.

By Mr. Clarke: S. B. 660, bill to incorporate the Bank of Craven. Referred to the committee on Banking and Currency.

By Mr. Respass: S. B. 661, bill to incorporate the Salamander Fire Company of Washington, N. C. Placed on the Calendar.

By Mr. Scott of New Hanover: S. B. 662, bill to insure fair play to the voters of the city of Wilmington. Referred to the committee on Corporations.

By Mr. Davidson: S. B. 667 $\frac{1}{2}$, bill to incorporate the Asheville Street Railway Company. Placed on the Calendar.

By Mr. Richardson: S. B. 668, bill to enable the city of Wilmington to provide for the bonds maturing in 1882. Referred to the committee on Finance.

By Mr. Finger: S. B. 668 $\frac{1}{2}$, bill in relation to the erection of a Governor's residence. Placed on the Calendar.

By Mr. Harper: S. B. 669, bill to prevent the destruction of fish in Hannah's creek in Johnston county. Referred to the committee on Propositions and Grievances.

By Mr. Harris: S. B. 670, bill to authorize the treasurer

of Franklin county to pay certain school orders. Placed on the Calendar.

By Mr. Tucker, (for joint committee on Prohibition:) S. B. 667, bill to prohibit the manufacture and sale of spirituous and malt liquors. Placed on the Calendar and ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 828, S. B. 663, bill to incorporate the Danville, Mocksville and South-western Railroad Company. Referred to the committee on Corporations.

H. B. 859, S. B. 664, bill to incorporate the Suffolk Lumber Company. Placed on the Calendar.

Also, without engrossment,

H. B. 656, S. B. 664½, bill to incorporate the Clinton and Faison Railroad Company. Referred to the committee on Internal Improvements.

H. B. 733, S. B. 665, bill to secure the better drainage of the lowlands of South river, Big Swamp, Little Coharrie, Bear Skin and Big Coharrie rivers in Sampson county and their tributaries. Referred to the committee on Propositions and Grievances.

H. B. 533, S. B. 666, bill to work out certain portions of the Marion and Asheville turnpike road, and for other purposes, and for the employment of convicts on the same. Placed on the Calendar.

H. B. 713, S. B. 666½ bill to incorporate the city of Goldsboro in Wayne county. Placed on the Calendar.

Engrossed House substitute for

S. B. 464; H. B. 724, bill to regulate pilotage for vessels owned in Beaufort and other counties. Placed on the Calendar.

On motion of Mr. Respass, the rules were suspended and the House substitute was taken up, passed its several readings, and was ordered enrolled.

UNFINISHED BUSINESS.

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, being the unfinished business of yesterday, was taken up.

The question recurred upon the motion to reconsider the vote by which the bill was indefinitely postponed.

The motion to reconsider prevailed, ayes 21, noes 19, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carr, Carter, Clarke, Dever, Dickey, Glenn, Gudger, Hampton, Harris, King, Lockhart, Manning, McMillan, Pridgen, Scott of New Hanover, Spruill, Staples, Stowe, Whitaker and Williamson of Davie—21.

Those voting in the negative were

Messrs. Battle, Burwell, Cuninghame, Davidson, Dortch, Eaves, Finger, Foil, Hanes, Harper, Jenkins, Mebane, Newland, Parish, Richardson, Scott of Rockingham, Tucker, Williamson of Edgecombe and Wynne—19.

By consent, the motion to indefinitely postpone was withdrawn.

Question recurring on the passage of the bill its second reading, the bill failed to pass, ayes 16, noes 22, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carr, Carter, Clarke, Dever, Glenn, Gudger, Hampton, Lockhart, Manning, Pridgen, Scott of New Hanover, Spruill, Staples, Whitaker and Williamson of Davie—16.

Those voting in the negative were

Messrs. Battle, Burwell, Cuninghame, Davidson, Dortch, Eaves, Finger, Foil, Hanes, Harper, Harris, Jenkins, King, McMillan, Mebane, Newland, Parish, Richardson, Scott of Rockingham, Stowe, Tucker and Wynne—22.

Mr. Dortch moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table.

The latter motion prevailed.

On motion of Mr. Battle,

H. B. 543, S. B. 633, bill to carry into effect certain provisions of the Constitution of the State in regard to the University, was taken up on its second reading.

Mr. York moved to amend section 1: Strike out "five thousand dollars." Lost.

Mr. York moved to amend: Strike out section 5. On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 15, noes 28, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Dortch, Hampton, Harper, King, Lockhart, McMillan, Mebane, Newland, Richardson, Scott of New Hanover, Scott of Rockingham, Wynne and York—15.

Those voting in the negative were

Messrs. Battle, Bernard, Carter, Clarke, Cuninghame, Davidson, Dever, Dickey, Finger, Foil, Glenn, Hanes, Harris, Jenkins, Jones, Manning, Merritt, Oates, Parish, Pridgen, Respass, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and Williamson of Edgecombe—28.

Mr. Tucker moved to amend: Strike out "\$2,000" in line —, section —, and insert "\$1,333.33½ for the benefit of colored normal schools." Lost.

Mr. Lockhart moved to amend. Add the following to section 5:

"*Provided further*, That the appropriations by this section provided for shall be paid out of the school fund." Lost.

On passage of the bill its second reading,

Mr. York demanded the ayes and noes, which were ordered, and the bill passed, ayes 26, noes 18, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carter, Clarke, Cuninghame, Davidson, Dever, Dickey, Finger, Foil, Glenn, Hanes, Harris, Jenkins, Manning, Merritt, Pridgen, Respass, Scott

of New Hanover, Spruill, Staples, Stowe, Whitaker, Williamson of Davie and Williamson of Edgecombe—26.

Those voting in the negative were

Messrs. Burwell, Carr, Dortch, Eaves, Hampton, Harper, Jones, King, Lockhart, McMillan, Mebane, Newland, Oates, Richardson, Scott of Rockingham, Tucker, Wynne and York—18.

The bill was then put upon its third reading.

Mr. Dortch moved to amend :

Strike out section 5 and insert, "That the State Board of Education be directed to establish another normal school in the western part of the State for white teachers, and the sum of \$2,000 per annum is hereby appropriated for such schools."

On which he demanded the ayes and noes, which were ordered. On a division of the question, the amendment was lost, ayes 18, noes 22, as follows :

Those voting in the affirmative were

Messrs. Blue, Burwell, Carr, Dortch, Foil, Hampton, Harper, Jones, Lockhart, McMillan, Mebane, Newland, Oates, Parish, Richardson, Scott of Rockingham, Tucker and York—18.

Those voting in the negative were

Messrs. Battle, Bernard, Carter, Clarke, Cuningham, Davidson, Dever, Dickey, Finger, Hanes, Harris, Jenkins, King, Merritt, Pridgen, Respass, Spruill, Staples, Stowe, Whitaker, Williamson of Edgecombe and Wynne—22.

Mr. Carr moved to amend. Add to section 4 :

"That except one free student from each county already authorized, no free student shall be received; but indigent young men may be received, provided that all such shall before entering give bond for the full payment of all tuition fees as soon as able to do so." Lost.

Bill then passed its third reading, and was ordered enrolled.

Mr. Clarke moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

SPECIAL ORDER.

S. B. 141, bill to establish a new county to be called Vance, was taken up on its second reading, it being the special order for this hour.

Mr. Cuninghame moved the Senate sit until the bill be disposed of. Lost.

Mr. Bernard moved to postpone the bill until Tuesday next. No quorum voting, the motion was lost.

Mr. Jenkins moved to lay the bill on the table. Lost.

Mr. Bernard moved the bill be postponed until Tuesday, 1st March, at 12 M., and made the special order for that hour. Lost, no quorum voting.

Mr. Glenn moved to amend: Amend the third line from the bottom of the page in section 4, by striking out the word "qualified" and inserting in its place the word "registered." Amend section 4, by adding at its close the following:

“ Provided however, That it shall be the duty of the Registrars appointed by the Governor aforesaid, after notice publicly given in their respective precincts, to open for the purposes of such election at Kittrell, Townesville and Henderson, and at some public place in the portions of Warren and Franklin counties respectively within the bounds set forth in section 1 of this act, books for the registration of the voters at such election, and thereupon it shall be the duty of such Registrars to keep open said books for ten days next preceding said election, and to register therein the names of all persons within their respective precincts quali-

fied to vote for members of the General Assembly; *And provided further*, That the laws now in force for the prevention of illegal voting and registration in State elections shall apply to all persons who shall illegally register or vote at such election."

Mr. Mebane moved the bill be indefinitely postponed, on which

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 23, noes 14, as follows :

Those voting in the affirmative were :

Messrs. Blue, Burwell, Carter, Clarke, Cuningham, Eaves, Foil, Hampton, Hanes, Harper, Jenkins, Jones, King, Mebane, Newland, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Edgecombe and York—23.

Those voting in the negative were

Messrs. Bernard, Carr, Dickey, Dortch, Harris, Lockhart, Manning, McMillan, Oates, Respass, Richardson, Spruill, Staples and Whitaker—14.

Mr. Clarke moved to reconsider the vote by which the bill was indefinitely postponed, and moved to lay that motion on the table.

On the later motion, Mr. Harris demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 20, noes 23, as follows :

Those voting in the affirmative were

Messrs. Carter, Clarke, Cuningham, Eaves, Foil, Hampton, Hanes, Harper, Jenkins, Jones, King, Mebane, Newland, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Williamson of Edgecombe, Wynne and York—20.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Carr, Davidson, Dever, Dickey, Dortch, Glenn, Gudger, Harris, Lockhart, Manning,

McMillan, Oates, Respass, Richardson, Spruill, Staples, Stowe, Tucker, Whitaker and Williamson of Davie—23.

The motion to reconsider the vote by which it was indefinitely postponed prevailed.

On motion of Mr. Harris, the bill was postponed until Tuesday, 1st March, at 12 M., and made the special order for that hour.

On motion of Mr. Blue,

H. B. 461, S. B. 577½, bill for the relief of the town of Fayetteville, and to enable it to compromise its debt, was taken up on its second reading.

Amend by striking out section 1, and in its stead insert the following:

“SECTION 1. That the mayor and commissioners of Fayetteville are authorized and empowered to compromise and settle the bonded indebtedness and interest thereon of said town, by issuing new bonds in exchange for the said indebtedness at fifty per cent. of said indebtedness, which bonds shall run for twenty years, and bear interest at four per cent. per annum. And the said town authorities shall pay the floating debt of said town in full, before the provisions of this act allowing an abrogation of the charter shall be of force.”

Adopted.

Mr. Clarke moved to amend: Strike out section 5. Lost.

On the passage of the bill its second reading.

Mr. Clarke demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 20, noes 14, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Foil, Gudger, Hampton, Harris, Jones, Lockhart, Newland, Oates, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie and York—20.

Those voting in the negative were

Messrs. Burwell, Carter, Clarke, Cuningham, Davidson, Eaves, Finger, Hanes, Harper, Jenkins, King, Manning, Merritt and Williamson of Edgecombe—14.

On motion of Mr. Manning,

S. B. 572, bill to prevent the fishing with drift nets in certain waters of this State, was taken up on its second reading.

The amendment reported by the committee on Fish and Fisheries was adopted.

Bill then passed its several readings and was ordered engrossed.

H. B. 859, S. B. 664, bill to incorporate the Suffolk Lumber Company, was taken up, passed its several readings, and was ordered enrolled.

S. B. 670, bill to authorize the treasurer of Franklin county to pay certain school orders, passed its several readings and was ordered engrossed.

S. B. 667½, bill to incorporate the Asheville Street Railway Company, passed its several readings and was ordered engrossed.

H. B. 518, S. B. 515, bill to amend an act to incorporate the Warm Springs and Paint Rock Turnpike Company, passed its several readings and was ordered enrolled.

H. B. 508, S. B. 508, bill to authorize the construction of turnpike from Black Mountain to Green Pond in Yancey county in this State, passed its several readings and was ordered enrolled.

H. B. 303, S. B. 411, bill to prevent live stock running at large in the county of New Hanover, was, on motion, laid on the table.

Leave of absence was granted Messrs. Carr, Dickey, Wynne, until Tuesday next; Messrs. Newland and Newsom, until Monday; to Mr. Hanes for one day; to the Principal Door-keeper until Monday.

At the hour of 3 o'clock P. M., the Senate adjourned.

FORTY-SIXTH DAY.

SENATE CHAMBER, February 26th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Mr. Woodhouse, Senator-elect from the First Senatorial District, was announced as present. He took the oath of office and was seated.

Leave of absence was granted Mr. Newland until Tuesday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Jones: Petition from sundry citizens of Jacksonville township, Onslow county, asking the appointment of a justice of the peace. Referred to the committee on the Justices of the Peace.

By Mr. Williamson of Davie: Petition from the members of the Methodist-church in Salisbury, praying the prohibition of the sale of liquor within three miles of the same. Referred to the committee on Prohibition.

By Mr. Williamson of Davie: Petition from citizens of Rowan county asking to be allowed to vote on the stock law in Mount Ulla township in said county. Referred to the committee on Privileges and Elections.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Dortch: H. B. 360, S. B. 552, bill concerning the burnt records in Lenoir county, reporting an amendment, and as amended, recommending it do pass.

S. B. 610, bill to amend section 9, chapter 7, Battle's Revisal, recommending it do pass.

H. B. 289½, S. B. 501, bill to amend section 9, chapter 7, Battle's Revisal, recommending it do pass.

By Mr. Spruill: House substitute for

S. B. 102, H. B. 385, bill to amend chapter 325, Laws of 1879, "an act to provide a fund for the payment of jurors," recommending it do pass.

By Mr. Scott of Rockingham: S. B. 557, bill relating to sales by commissioners under order of court, reporting a substitute, and recommending the substitute do pass.

H. B. 48, S. B. 550, bill to make slander indictable, reporting an amendment, and as amended, recommending it do pass.

H. B. 490, S. B. 655, bill to pay the jurors of the county of Graham, recommending it do pass.

H. B. 322, S. B. 578, bill to amend section 11, chapter 92, Laws of 1879, recommending it do pass.

H. B. 415, S. B. 522, bill to amend section 2, chapter 53, Battle's Revisal, recommending its return to the House of Representatives for correction.

H. B. 420, S. B. 631, bill to repeal chapter 41, Laws of 1879, relating to attorneys, recommending it do not pass.

S. B. 558, bill in relation to costs in the Supreme Court, recommending it do not pass.

H. B. 470, S. B. 499, bill to empower county surveyors and their deputies to administer oaths in certain cases, recommending its return to the House of Representatives for correction.

By Mr. Burwell: S. B. 566, bill to repeal chapter 41, Laws of 1879, recommending it do pass.

S. B. 638, bill to amend Battle's Revisal, chapter 27, section 8, reporting an amendment, and as amended, recommending it do pass.

H. B. 18, S. B. 360, bill for the more speedy and effectual execution of criminal process, recommending it do not pass.

By Mr. Parish : H. B. 839, S. B. 642, bill in relation to the codification of the Cherokee land laws in the State of North Carolina, recommending it do not pass.

H. B. 591, S. B. 641, bill to repeal section 14, chapter 117, Laws of 1879, recommending it do not pass.

By Mr. Davidson : H. B. 431, S. B. 528, bill to change the time of the sittings of the Supreme Court, recommending it do pass.

H. B. 163, S. B. 478, bill to regulate official advertising, recommending it do pass.

By Mr. Clarke : H. B. 469, S. B. 502, bill to repeal chapter 142, Laws of 1879, recommending it do pass.

S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled "Judges of Probate," reporting a substitute, and recommending the substitute do pass.

H. B. 498, S. B. 511, bill requiring county commissioners to hold their sessions in the court-room of the court-house, recommending it do not pass.

S. B. 433, bill to authorize guardians and trustees to invest in State bonds, recommending it do not pass.

From the committee on Prohibition :

By Mr. Tucker : S. B. 487, bill to amend chapter 85, Private Laws of 1872-'73, recommending it do not pass.

From the committee on Finance :

By Mr. Richardson : H. B. 697, S. B. 623, bill to enable the board of justices of the peace of Chatham county to build a new court-house, recommending it do pass.

S. B. 668, bill to enable the city of Wilmington to provide for the bonds maturing in 1882, recommending it do pass.

From the committee on Education :

By Mr. Merritt : H. B. 774, S. B. 651, bill to incorporate the Bingham School Trust Fund, recommending it do pass.

H. B. 698, S. B. 646, bill to amend chapter 36, Laws of 1874-'75, concerning Graham High School, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed

S. B. 459, bill to revise and consolidate the public school laws, &c.

S. B. 435, bill to incorporate the Paper and Pulp Works. Senate amendment to

H. B. 524, S. B. 466, bill to incorporate the North Carolina, London and Southern Mining and Commercial Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and were disposed of as follows:

By Mr. Burwell: S. B. 672, bill to amend the charter of the High Shoals Manufacturing and Mining Company. Referred to the committee on Corporations.

By Mr. Respass: S. B. 673, bill to establish and define boundary line between lands of Albemarle Swamp Land Company and adjacent land owners. Placed on the Calendar.

By Mr. Gudger: S. B. 674, bill to amend chapter 72, Private Laws of 1876-'77, relating to turnpike roads in Mitchell county. Referred to the committee on Internal Improvements.

By Mr. Merritt: S. B. 675, bill to prevent persons who fence up their lands under any stock law in this State from turning cattle or live stock on the lands of other persons. Placed on the Calendar.

By Mr. Dortch: S. B. 676, bill to encourage the investment in the State of foreign capital. Referred to the committee on Internal Improvements.

By Mr. Manning: S. B. 677, bill to protect the agricultural interests of Durant's Neck, Perquimans county. Referred to the committee on Agriculture, Mechanics and Mining.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 831, S. B. 678, bill to charter the Louisburg Railroad Company. Placed on the Calendar.

H. B. 767, S. B. 679, bill to establish a graded public school in Goldsboro. Placed on the Calendar.

H. B. 699, S. B. 680, bill to keep the channels of Haw river and other streams in Guilford county free from fallen timber and driftwood. Placed on the Calendar.

H. B. 484, S. B. 681, bill to authorize the county commissioners of Greene county to levy a special tax. Placed on the Calendar.

H. B. 763, S. B. 682, bill to incorporate Rising Sun Lodge of the Independent Order of Immaculates. Placed on the Calendar.

H. B. 671, S. B. 683, bill to amend the charter of the town of Mount Olive in Wayne county. Placed on the Calendar.

H. B. 407, S. B. 684, bill for the relief of the sureties of E. H. Wilson, late sheriff of Pitt county. Placed on the Calendar.

H. B. 593, S. B. 685, bill to prevent the felling of timber in Hunting creek in Davie county. Placed on the Calendar.

H. B. 569, S. B. 686, bill to make dogs listed for taxation the subject of larceny. Placed on the Calendar.

H. B. 690, S. B. 687, bill to prohibit live stock from running at large in Lenoir county. Placed on the Calendar.

House amendment to

S. B. 23, H. B. 810, bill to secure the better drainage of low lands in the counties of Catawba, Lincoln, Rowan, Davie and Iredell.

The amendments were concurred in, and the bill ordered enrolled for ratification.

House amendments to

S. B. 483, H. B. 841, bill to amend an act establishing a Department of Agriculture, Immigration and Statistics, &c.

The amendments were concurred in and the bill ordered enrolled.

House amendments to

S. B. 22, H. B. 192, bill to regulate the size of meshes of drag-nets and seines used in the waters of Neuse and Trent rivers and their tributaries.

The amendments were concurred in and the bill was ordered enrolled.

H. B. 335, S. B. 688, bill to provide for the classifying the railroads in this State, and for other purposes. Referred to the committee on Internal Improvements.

Also, transmitting a communication with accompanying papers, from His Excellency, the Governor, relative to the International Exposition in the city of New York in 1883, with a proposition that the same be printed. The proposition to print was concurred in.

On motion of Mr. York,

H. B. 501, S. B. 649, bill to allow Alexander county in the eighth judicial district two weeks' term for Superior Court, was taken up, passed its several readings and was ordered enrolled.

On motion of Mr. Finger,

S. B. 547, bill to amend an act to adjust and renew a portion of the State debt, ratified the 14th day of March, 1879, was taken up.

The substitute reported by the committee on State Debt was read.

Mr. Finger offered a substitute for the substitute reported by the committee, which was read for information.

On motion of Mr. Finger, the bill was postponed until

Monday, 28th, at 11 o'clock A. M., and made the special order for that hour.

On motion of Mr. Finger,

S B. 401, bill to incorporate the bank of Enfield, was taken up on its second reading.

The amendments to section 1 of the bill, reported by the committee on Corporations, were adopted.

The amendment to section 10 of the bill, reported by the committee on Corporations, was lost.

As amended, the bill passed its several readings, and was ordered engrossed.

On motion of Mr. Respass,

S. B. 577, bill to increase the number of justices of the peace in Beaufort county, was taken up on its second reading.

Mr. Oates moved to amend: That "Clinton township, Sampson county, be allowed one additional justice of the peace." Adopted.

Mr. Scott of New Hanover moved to amend:

"*Provided*, Said justices of the peace are elected by the qualified voters of the said counties." Lost.

Mr. Cuninghame moved to amend: "Add one additional justice of the peace for Locust Hill township in Caswell county." Adopted.

Mr. Spruill moved to amend: "Add one justice of the peace for Scuppernong township in Washington county." Adopted.

Mr. Davidson moved to amend: Insert Ivy township in Buncombe county, and Sandy Mush and Spring Creek townships in Madison county. Adopted.

Mr. Glenn moved to amend: Add, "Forsyth county shall be entitled to as many additional justices of the peace as the committee on Appointment of Justices shall recommend." Adopted.

Mr. Staples moved to amend: Add five additional justices in each township in the county of Guilford. Adopted.

Mr. Mebane moved to amend: Add, "That Alamance shall be allowed additional magistrates." Adopted.

Mr. Parish moved to amend: Add "an additional justice each for Bingham, Durham and Patterson townships." Adopted.

Mr. Whitaker moved to amend: "That the county of Halifax shall have twice the number of justices now allowed by law." Adopted.

Mr. Williamson of Davie moved to amend: Add "one additional justice for each township in Davie county." Adopted.

Bill then passed its second reading.

The bill was then put upon its third reading, and, under a call for the ayes and noes, passed; ayes 19, noes 12, as follows:

Those voting in the affirmative were

Messrs. Battle, Cuninghame, Davidson, Dever, Glenn, Gudger, Jones, Lockhart, Manning, McMillan, Oates, Parish, Respass, Richardson, Spruill, Stowe, Whitaker, Williamson of Davie and Woodhouse—19.

Those voting in the negative were

Messrs. Carter, Clarke, Dortch, Foil, Hanes, Jenkins, King, Pridgen, Spears, Tucker, Williamson of Edgecombe and York—12.

By consent,

Mr. Stowe reported from the committee on Corporations, S. B. 672, bill to amend the charter of the High Shoals Mining and Manufacturing Company, recommending it do pass.

On motion of Mr. Tucker, the Calendar was placed in the hands of the President for to-day.

On motion of Mr. Respass, a message was sent to the House of Representatives requesting that honorable body to return to the Senate

S. B. 493, H. B. 855, bill for the better protection of farmers and fishermen.

H. B. 224, S. B. 286, bill giving aid to the North Carolina Industrial Association on its second reading, and failed to pass.

H. B. 713, S. B. 666½, bill to incorporate the city of Goldsboro in Wayne county, passed its second reading, ayes 28, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Cuning-
ham, Davidson, Dever, Dortch, Finger, Foil, Hampton,
Harper, Jones, Lockhart, Manning, McMillan, Mebane,
Merritt, Oates, Parish, Richardson, Spears, Staples, Tucker,
Williamson of Davie, Woodhouse and York—28.

Mr. Dortch moved to reconsider the vote by which

H. B. 224, S. B. 286, bill giving aid to the North Carolina Industrial Association, failed to pass its second reading, and moved to postpone the consideration of the motion to reconsider until Monday morning. The latter motion prevailed.

Mr. King moved to reconsider the vote by which the Senate on yesterday tabled a motion to reconsider the vote by which

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, failed to pass its second reading.

Mr. Parish raised the point of order, that under section 33, Senate Rules of Order, no question could be reconsidered more than once.

Upon the point of order raised by Mr. Parish, the President held that in the absence of any rule limiting the power of a legislative body in relation to its own action, that the general doctrine that prevails in our government, "that the majority must rule," must and ought to be recognized. That the latter clause of rule 33 could not apply unless an absolute identity of the questions "to indefinitely postpone," and the "passage" (or failure of passage) of a bill on its

second reading be established. The House of Representatives at Washington, and the House of Representatives of our assembly, both have either a direct rule on this subject, or a custom which is so general as to make it almost law. The Senate having failed or refused to adopt any rule limiting its own power over questions arising, the opinion of the Chair is, that the "majority power," upon which theory our government is based, must be recognized. Reference was made to Jefferson's Manual, p. 96, and also to rule No. —, House of Representatives of North Carolina.

Mr. Parish moved the motion to reconsider be postponed until next Wednesday. Lost.

Mr. Dortch demanded the previous question, which was sustained.

On the motion of Mr. King to reconsider,

Mr. Parish demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 24, noes 14, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carter, Clarke, Davidson, Dever, Glenn, Gudger, Hampton, Jenkins, Jones, King, Lockhart, Manning, Oates, Pridgen, Respass, Scott of New Hanover, Spears, Spruill, Staples, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—24.

Those voting in the negative were

Messrs. Battle, Burwell, Cuninghame, Dortch, Finger, Foil, Harper, McMillan, Mebane, Parish, Richardson, Scott of Rockingham, Stowe and Tucker—14.

Question recurred upon the motion of Mr. Dortch to table the motion to reconsider the vote by which the bill failed to pass its second reading.

By consent, Mr. Dortch withdrew the motion.

The motion to reconsider the vote by which the bill failed to pass its second reading prevailed.

Question recurring upon the passage of the bill its second

reading, the bill passed its second reading, ayes 23, noes 14, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carter, Clarke, Davidson, Dever, Glenn, Gudger, Hampton, Jenkins, King, Lockhart, Manning, Oates, Pridgen, Respass, Scott of New Hanover, Spears, Spruill, Staples, Whitaker, Williamson of Davie, Williamson of Edgecombe and Woodhouse—23.

Those voting in the negative were

Messrs. Battle, Cuninghame, Dortch, Finger, Foil, Harper, Jones, McMillan, Mebane, Parish, Richardson, Scott of Rockingham, Stowe and Tucker—14.

Mr. Dortch offered the following resolution:

Resolved, That from and after to-day no Senator shall be allowed to speak more than fifteen minutes on any question.

On motion of Mr. Dortch, the rules were suspended, and the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House asking the return to that honorable body of

H. B. 671, S. B. 683, bill to amend the charter of the town of Mount Olive in Wayne county.

The bill was ordered returned.

Also, transmitting, in accordance with the request of the Senate,

S. B. 493, H. B. 855, bill for the better protection of farmers and fishermen.

On motion of Mr. Scott of New Hanover, the bill was ordered sent back to the House for its consideration.

The Calendar was resumed.

S. B. 564, bill to exempt from jury duty certain firemen, passed its several readings and was ordered engrossed.

S. B. 634, bill to enable the county commissioners of Columbus in their discretion to regulate the amount of the sheriff's or tax-collector's bond.

The substitute reported by the committee on Finance was adopted.

The bill then passed its several readings and was ordered engrossed.

H. B. 524, S. B. 466, bill to incorporate the North Carolina, London and Southern Mining and Commercial Company, on its second reading:

The amendment reported by the committee on Corporations was adopted.

The bill then passed its several readings, and the amendment was ordered engrossed.

H. B. 463, S. B. 624, bill declaring Hiwassa river a lawful fence, passed its several readings and was ordered enrolled.

H. B. 751, S. B. 632, bill to authorize the board of county commissioners of Perquimans county to levy a special tax, passed its second reading, ayes 26, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuningham, Dever, Dortch, Finger, Glenn, Gudger, Hampton, Hanes, Harper, King, Lockhart, Manning, Mebane, Merritt, Oates, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Edgecombe, Woodhouse and York—26.

In the negative, Mr. Spears—1.

S. B. 532, bill amendatory of, and supplemental to, an act passed by the General Assembly of North Carolina at its present session entitled "an act to provide for the erection of a hospital in the city of Wilmington," passed its several readings, and was ordered engrossed.

H. B. 599, S. B. 621, bill to authorize the commissioners of Columbus county to levy a special tax, passed its second reading, ayes 27, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuningham, Davidson, Dever, Dortch, Finger, Glenn, Hampton, Harper, Jones, King, Manning, McMillan, Mebane, Merritt, Oates, Parish, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse and York—27.

In the negative, Mr. Spears—1.

S. B. 583, bill for the relief of the heirs at law of the late N. W. Woodfin, passed its several readings and was ordered engrossed.

H. B. 638, S. B. 622, bill to authorize the commissioners of Macon county to raise revenue, passed its second reading, ayes 28, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Cuningham, Davidson, Dever, Dortch, Finger, Glenn, Gudger, Hampton, Harper, Jenkins, Jones, King, Manning, McMillan, Mebane, Oates, Pridgen, Richardson, Scott of New Hanover, Stowe, Tucker, Williamson of Davie, Woodhouse and York—28.

In the negative, Mr. Spears—1.

S. B. 672, bill to amend the charter of the High Shoals Manufacturing and Mining Company, passed its several readings and was ordered engrossed.

S. B. 492, bill to incorporate the Atlantic and French Broad Valley Railway Company, on its second reading.

The amendment reported by the committee on Corporations was adopted.

Bill then passed its second reading, ayes 27, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Cuningham, Davidson, Dever, Dortch, Finger, Glenn, Gudger, Hampton, Jenkins, Manning, McMillan, Mebane, Merritt, Oates, Parish, Pridgen, Richardson, Spears, Spruill, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse and York—27.

H. B. 657, S. B. 549, bill to incorporate the Danville and

Haw River Railroad Company, passed its several readings and was ordered enrolled.

H. B. 292, S. B. 530, bill to amend an act to incorporate the North-western Railroad Company, Laws of 1866-'67, passed its several readings and was ordered enrolled.

S. B. 561, bill to lay off and construct a road from Mount Airy in Surry county to Sparta in Alleghany county, passed its several readings and was ordered engrossed.

H. B. 519, S. B. 531, bill to reduce the corporate limits of the town of Monroe in Union county and for other purposes, passed its second reading, ayes 27, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuninghame, Davidson, Dever, Finger, Foil, Gudger, Hanes, Jenkins, Lockhart, Manning, McMillan, Mebane, Merritt, Oates, Pridgen, Respass, Richardson, Staples, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—27.

H. B. 433, S. B. 596, bill to incorporate the town of White Hall in the county of Wayne, passed its several readings, and was ordered enrolled.

H. B. 461, S. B. 577½, bill for the relief of the town of Fayetteville and to enable it to compromise its debt, on its third reading.

Mr. Blue moved to amend section 1 by striking out the words "the mayor and commissioners of," and insert "the committee of finance for." Adopted.

Mr. Clarke moved to amend : Strike out section 5 ; on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 14, noes 17, as follows :

Those voting in the affirmative were

Messrs. Carter, Clarke, Cuninghame, Davidson, Hanes, Jenkins, King, Manning, McMillan, Pridgen, Scott of New Hanover, Spears, Williamson of Edgecombe and Woodhouse—14.

Those voting in the negative were

Messrs. Battle, Blue, Finger, Foil, Glenn, Hampton, Jones, Lockhart, Oates, Respass, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie and York—17.

The bill then passed its third reading, ayes 18, noes 15, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Finger, Foil, Glenn, Gudger, Jones, Lockhart, Oates, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Davie and York—18.

Those voting in the negative were

Messrs. Burwell, Carter, Clarke, Cuningham, Davidson, Hampton, Jenkins, King, Manning, McMillan, Pridgen, Scott of New Hanover, Spears, Williamson of Edgecombe and Woodhouse—15.

S. B. 567, bill to incorporate the town of Jamestown in Guilford county, passed its second reading, ayes 29, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Clarke, Cuningham, Davidson, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Jenkins, Jones, Manning, Mebane, Pridgen, Respass, Scott of New Hanover, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—29.

H. B. 533, S. B. 666, bill to work out certain portions of the Marion and Asheville turnpike road and for other purposes, and for the employment of convicts on the same, passed its several readings and was ordered enrolled.

Mr. Gudger moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

S. B. 575, bill to amend chapter 163, Laws of 1871-'72, passed its several readings and was ordered engrossed.

S. R. 618, resolution to pay the employees of the General

Assembly, passed its several readings, and was ordered engrossed.

S. B. 588, bill to consolidate and amend the acts relating to the sale of intoxicating liquors in and near Chapel Hill, passed its several readings and was ordered engrossed.

The hour of three o'clock P. M., having arrived, the Senate adjourned.

FORTY-SEVENTH DAY.

SENATE CHAMBER, February 28th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. York: Petition of certain citizens of Wilkes county against the passage of a prohibitory liquor law. Referred to the committee on Prohibition.

By Mr. Hampton: Petitions from citizens of Mount Airy, Surry county. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Internal Improvements :

By Mr. Staples: H. B. 656, S. B. 664 $\frac{1}{2}$, bill to incorporate the Clinton and Faison Railroad, recommending it do pass.

From the committee on Finance :

By Mr. Richardson : H. B. 300, S. B. 644, bill to ascertain the indebtedness of Chowan county, recommending it do pass.

S. B. 619, bill for the relief of B. F. Bullock, late sheriff of Granville county, recommending it do not pass.

From the committee on Agriculture, Mechanics and Mining :

By Mr. Cuninghame : S. B. 677, bill to protect the agricultural interests of Durant's Neck, Perquimans county, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed :

S. B. 348, bill to incorporate the Eastern Insane Asylum ;

S. B. 437, bill to incorporate the town of Yeatesville, Beaufort county ;

S. B. 555, bill concerning representation in the House of Representatives ;

S. B. 472, bill to amend the charter of the town of Plymouth ;

S. B. 435, bill to incorporate the Paper and Pulp Works ;

S. B. 491, bill to authorize the commissioners of Warren county to levy a special tax ;

S. B. 213, bill to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company, ratified 25th March, 1871 ;

S. B. 572, bill to prohibit the fishing of drift nets in certain waters of this State ;

S. B. 667½, bill to incorporate the Asheville Street Railroad Company ;

H. B. 461, S. B. 577½, bill for the relief of the town of Fayetteville, and to enable it to compromise its debts.

S. B. 670, bill to authorize the treasurer of Franklin county to pay certain school orders ;

S. B. 577, bill to increase the number of justices of the peace in Beaufort and other counties ;

S. B. 401, bill to incorporate the Bank of Enfield.

From the committee on Enrolled Bills :

By Mr. Carr, as correctly enrolled,

H. B. 119, S. B. 477, an act to establish and provide for organizing the county of Durham, which was duly ratified, and sent to the office of the Secretary of State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Spruill : S. B. 689, bill to amend section 33, chapter 35, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. York : S. B. 690, bill to promote immigration. Placed on the Calendar.

By Mr. Burwell (by request) : S. B. 691, bill to encourage the improvement of highways in Mecklenburg county. Referred to the committee on Propositions and Grievances.

By Mr. Burwell (by request) : S. B. 692, bill in relation to the working of roads. Referred to the committee on Propositions and Grievances.

By Mr. Gudger : S. B. 693, bill to prevent the felling of timber in North Toe river and Cane creek, Mitchell county, North Carolina. Placed on the Calendar.

By Mr. Mebane : S. R. 694, resolution on adjournment. Placed on the Calendar.

By Mr. Eaves : S. R. 695, resolution requesting the Governor of North Carolina to correspond with the Governor of South Carolina in regard to establishing a line fence between said States in certain counties. Placed on the Calendar.

By Mr. Pridgen : S. B. 696, bill to authorize the commissioners of Brunswick county to levy and collect a special tax. Referred to the committee on Finance.

By Mr. York : S. B. 697, bill changing the time of making returns to the Secretary of State of entries of vacant lands of entry takers. Placed on the Calendar.

By Mr. Wynne: S. R. 698, resolution in favor of G. W. Partin, night watchman. Referred to the committee on Finance.

By Mr. Respass: S. R. 699, resolution in regard to the Atlantic and North Carolina Railroad. Placed on the Calendar.

By Mr. Cuninghame: S. B. 720, bill to allow R. A. Williams and Joseph Painter, Jr., executors of Joseph Painter, Sr., to collect arrears of taxes. Referred to the committee on Finance.

By Mr. Respass: S. B. 721, bill to appoint two cotton weighers for the town of Washington in Beaufort county. Placed on the Calendar.

On motion of Mr. Burwell,

S. B. 638, bill to amend Battle's Revisal, chapter 27, section 8, was taken up on its second reading.

The amendment reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

On motion of Mr. Richardson, the Calendar was placed under the control of the President for the remainder of the session.

Bills and resolutions on the Calendar are taken up and disposed of as follows:

S. B. 492, bill to incorporate the Atlantic and French Broad Valley Railway Company passed its third reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Cuninghame, Davidson, Dever, Eaves, Finger, Foil, Gudger, Hampton, Hanes, Jenkins, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Oates, Pridgen, Richardson, Spears, Staples, Stowe, Tucker, Woodhouse, Wynne and York—31.

H. B. 519. S. B. 531, bill to reduce the corporate limits of

the town of Monroe, in Union county, and for other purposes, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cuninghame, Dever, Eaves, Finger, Foil, Gudger, Hampton, Hanes, Jenkins, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Pridgen, Respass, Richardson, Spruill, Stowe, Tucker, Williamson of Edgecombe, Woodhouse, Wynne and York—30.

S. B. 567, bill to incorporate the town of Jamestown, in Guilford county, passed its third reading, ayes 29, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Davidson, Dever, Finger, Foil, Gudger, Hampton, Hanes, Manning, McMillan, Mebane, Merritt, Oates, Pridgen, Respass, Richardson, Spruill, Staples, Stowe, Tucker, Woodhouse, Wynne and York—29.

On motion of Mr. Staples, the bill was ordered sent to the House of Representatives without engrossment.

H. B. 119, S. B. 477, bill to establish and provide for organizing the county of Durham, on its third reading.

Mr. Parish moved to amend:

Add as section —, "If at the election provided for by this act, a majority of all the votes in the townships of Durham, Mangum, Lebanon, Patterson, and part of Little River in the county of Orange, or any one or more of said townships, shall be cast against the county of Durham, then the said township, townships, or part of township comprehended within the limits of the county of Durham shall not be part of said county of Durham, but such township or townships, or part of township as mentioned in this act, so voting, shall be and remain parts of the county of Orange, notwithstanding the townships in Wake may vote for said county of Durham, and in that event, the county of

Durham shall consist of the territory mentioned in this act exclusive of said parts of Durham, Mangum, Lebanon, Patterson and the part of Little River township.

Mr. Staples demanded the previous question on the passage of the bill.

Mr. Parish gave notice of another amendment.

The demand for the previous question was sustained.

On the adoption of the amendment, Mr. Parish demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 17, noes 21, as follows:

Those voting in the affirmative were

Messrs. Burwell, Cuningham, Davidson, Eaves, Finger, Foil, Hanes, Jones, McMillan, Mebane, Merritt, Parish, Richardson, Stowe, Tucker, Whitaker and Wynne—17.

Those voting in the negative were

Messrs. Bernard, Carr, Carter, Clarke, Dever, Glenn, Gudger, Hampton, King, Lockhart, Manning, Oates, Pridgen, Respass, Spears, Spruill, Staples, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—21.

Mr. Parish moved to amend:

In section 13, line 2, strike out "Durham" and insert "Orange." Also, in line 14, strike out "thirty" and insert "ninety." Also amend section 14 by striking out all relating to the appointment of registrars, judges, &c., and the places of holding said election and insert in lieu thereof: "That the county commissioners of Orange, after due notice thereof, shall appoint the registrars and judges of the said election provided in this act, who shall hold said election as is now provided by law in the election of members of the General Assembly and make due return thereof." Lost.

The bill then passed its third reading, ayes 26, noes 15, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carr, Carter, Clarke, Davidson, Dever, Glenn, Gudger, Hampton, Jenkins, King, Lockhart,

Manning, Newsom, Oates, Pridgen, Respass, Spears, Spruill, Staples, Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—26.

Those voting in the negative were

Messrs. Burwell, Cuninghame, Eaves, Finger, Foil, Hanes, Jones, McMillan, Mebane, Merritt, Parish, Richardson, Stowe, Tucker and Wynne—15.

Mr. Staples moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

H. B. 599, S. B. 621, bill to authorize the commissioners of Columbus county to levy a special tax, passed its third reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Cuninghame, Davidson, Dever, Eaves, Finger, Foil, Gudger, Hanes, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Oates, Parish, Pridgen, Respass, Richardson, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—31.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 583, S. B. 700, bill to amend the charter of the Fairfield Canal Company in Hyde county. Referred to the committee on Corporations.

H. B. 813, S. B. 701, bill to charter the Bank of Kinston. Referred to the committee on Corporations.

H. B. 522, S. B. 702, bill to amend section 8, chapter 30, Laws of Special Session, 1880. Placed on the Calendar.

H. B. 872, S. B. 703, bill to allow J. H. McNeil, administrator of G. F. McNeil, to collect arrears of taxes. Placed on the Calendar.

H. B. 707, S. B. 704, bill to appoint cotton weighers for the town of LaGrange in Lenoir county. Referred to the committee on Propositions and Grievances.

H. B. 735, S. B. 705, bill to incorporate the Beaver Dam Drainage Company of Sampson county. Referred to the committee on Corporations.

H. B. 796, S. B. 706, bill to appoint two additional cotton weighers in the town of Goldsboro. Referred to the committee on Propositions and Grievances.

H. B. 542, S. B. 707, bill to allow mileage to the sheriff of Carteret county. Referred to the committee on Finance.

H. B. 825, S. B. 708, bill for the relief of R. McMillan, late sheriff of Robeson county. Placed on the Calendar.

H. B. 603, S. B. 709, bill to protect the public bridges on the Scuppernong at Columbia and the Cross Landing and Alligator creek in Tyrrell county. Referred to the committee on Propositions and Grievances.

H. B. 495, S. B. 710, bill to amend chapter 107, Laws of 1874-'75, relating to the town of LaGrange in the county of Lenoir. Referred to the committee on Corporations.

H. B. 476, S. B. 711, bill to amend chapter 34, Laws of 1880, by permitting the citizens of Harnett county to remove existing obstructions in the Cape Fear river. Referred to the committee on Propositions and Grievances.

H. B. 652, S. B. 712, bill to amend chapter 299, Public Laws of 1879. Referred to the committee on Judiciary.

H. B. 873, S. B. 713, bill for the protection of sheep in the county of Buncombe. Referred to the committee on Propositions and Grievances.

H. R. 130, S. R. 714, resolution to remit tax fees in relation to turnpike charters and amendments thereto. Referred to the committee on Finance.

H. B. 867, S. B. 715, bill requiring the county commissioners of Wake to pay Mrs. Osborne one hundred and seventy-five dollars and fifty cents for feeding a jury of Wake county. Referred to the committee on Claims.

H. B. 638, S. B. 716, bill to allow the commissioners of Watauga county to levy a special tax. Placed on the Calendar.

H. B. 648, S. B. 717, bill to authorize the commissioners of McDowell county to levy a special tax. Placed on the Calendar.

H. B. 747, S. B. 718, bill to authorize the county commissioners of Harnett to levy a special tax. Referred to the committee on Finance.

Engrossed House amendments to

S. B. 393, H. B. 770, bill for the better protection of the fish interest in the Cape Fear river.

The amendments were concurred in, and the bill ordered enrolled for ratification.

Engrossed House amendment to

S. B. 539, H. B. 840, bill to prevent live stock from running at large in the county of Davie.

The amendment was concurred in, and the bill was ordered enrolled for ratification.

SPECIAL ORDER.

S. B. 547, bill to amend an act to adjust and renew a portion of the State debt, ratified the 14th day of March, 1879, was taken up on its second reading, it being the special order for this hour.

The substitute reported by the committee on State Debt was adopted.

Mr. Clarke moved the bill be postponed until Wednesday. Lost.

Bill then passed its second reading, and was put upon its third reading.

Mr. Finger offered a substitute for the bill.

On motion of Mr. Finger, the bill and pending substitute were recommitted, ordered to be printed, and made the special order for Wednesday, 2d inst., at 11 o'clock A. M.

SPECIAL ORDER.

H. B. 224, S. B. 286, bill giving aid to the North Carolina

Industrial Association, was taken up on its second reading, it being the second special order for to-day.

Question recurred upon the motion to reconsider the vote by which the bill failed to pass its second reading, which prevailed.

Mr. Burwell moved to amend. Add :

“ *Provided*, That the amount donated by this bill be paid out of the fund appropriated at this session of the General Assembly for the establishment of normal schools for the colored people of this State.”

Mr. Richardson demanded the previous question, which was sustained.

Mr. Burwell's amendment was adopted.

The bill then failed to pass its second reading.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting, without engrossment,

H. B. 789, S. B. 719, bill in relation to the Institution for the Deaf and Dumb and the Blind. Placed on the Calendar.

On motion of Mr. Mebane, the rules were suspended, and the bill was taken up, passed its several readings, and was ordered enrolled.

H. B. 638, S. B. 622, bill to authorize the commissioners of Macon county to raise revenue, passed its third reading, ayes 34, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Cuninghame, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, McMillan, Mebane, Merritt, Newsom, Oates, Pridgen, Respass, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—34.

By consent,

Mr. Dortch introduced the following:

Resolved, That the Senate take a recess at 2½ o'clock P. M., until 7½ o'clock P. M., daily, until further orders."

On motion of Mr. Dortch, the rules were suspended and the resolution taken up.

Mr. Cuninghame moved to strike out "2½" and insert "2."
Lost.

The resolution was adopted.

H. B. 713, S. B. 666½, bill to incorporate the city of Goldsboro in Wayne county, passed its third reading, ayes 33, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Cuninghame, Davidson, Dever, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Harper, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Spears, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse and York—33.

H. B. 282, S. B. 448, bill in relation to sealed weights and measures, passed its several readings and was ordered enrolled.

House substitute for

S. B. 102, H. B. 385, bill to amend chapter 325, Laws of 1879, "an act to provide a fund for the payment of jurors," was adopted, and the bill ordered enrolled.

By consent,

Mr. Richardson reported from the committee on Finance, S. B. 720, bill to allow R. A. Williams and Joseph Painter, Jr., executors of Joseph Painter, Sr., to collect arrears of taxes, recommending it do pass.

The Calendar was resumed.

H. B. 247, S. B. 294, bill to prevent the felling of trees

and brush in Dally's Gut and Greene's Thoroughfare, on its second reading.

The substitute reported by the committee on Propositions and Grievances was adopted.

The bill then passed its several readings and was ordered engrossed.

H. B. 18, S. B. 360, bill for the more speedy and effectual execution of criminal process, was, on motion, laid on the table.

H. R. 82, S. R. 383, resolution to investigate the Agricultural and Mechanical School at Chapel Hill, was, on motion, laid on the table.

H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrearage of taxes, was, on motion, laid on the table.

H. B. 59, S. B. 424, bill to pay Louis Hilliard and Thos. J. Wilson for services as Judges of Superior Court, on its second reading, and passed.

The bill was put on its third reading.

Mr. Lockhart demanded the ayes and noes on the passage of the bill its third reading, which were ordered, and the bill failed to pass, ayes 20, noes 21, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Carr, Davidson, Dortch, Eaves, Finger, Glenn, Hampton, Hanes, King, Manning, Merritt, Richardson, Scott of Rockingham, Spears, Whitaker, Williamson of Davie, Williamson of Edgecombe and Woodhouse—20.

Those voting in the negative were

Mr. President, Messrs. Blue, Burwell, Carter, Clarke, Cunningham, Dickey, Jenkins, Jones, Lockhart, McMillan, Mebane, Newland, Newsom, Parish, Pridgen, Spruill, Stowe, Tucker, Wynne and York—21.

H. B. 163, S. B. 478, bill to regulate official advertising, on its second reading.

Mr. York moved to lay the bill on the table, on which

Mr. Williamson of Edgecombe demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 22, noes 18, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Dickey, Eaves, Foil, Gudger, Hampton, Harper, King, Manning, McMillan, Mebane, Merritt, Newland, Oates, Respass, Scott of Rockingham, Spears, Stowe, Woodhouse, Wynne and York—22.

Those voting in the negative were

Messrs. Battle, Burwell, Carr, Carter, Cuningham, Davidson, Dortch, Finger, Glenn, Hanes, Lockhart, Newsom, Pridgen, Richardson, Staples, Tucker, Williamson of Davie and Williamson of Edgecombe—18.

H. B. 470, S. B. 499, bill to empower county surveyors and their deputies to administer oaths in certain cases, passed its several readings, and was ordered enrolled.

H. B. 150, S. B. 500, bill to amend section 10, chapter 83, Battle's Revisal, failed to pass its second reading.

H. B. 289½, S. B. 501, bill to amend section 9, chapter 7, Battle's Revisal, passed its several readings, and was ordered enrolled.

H. B. 469, S. B. 502, bill to repeal chapter 142, Laws of 1879, passed its several readings, and was ordered enrolled.

H. B. 306, S. B. 503, bill to amend Battle's Revisal, chapter 41, section 10, lines 3 and 4, passed its several readings, and was ordered enrolled.

H. B. 305, S. B. 504, bill to prohibit the sale of ardent spirits to minors, passed its several readings, and was ordered enrolled.

H. B. 475, S. B. 505, bill to incorporate the town of Sydney, in the county of Columbus, passed its several readings and was ordered enrolled.

By consent,

Mr. Whitaker introduced

S. R. 722, resolution of enquiry concerning the seat of the Senator from Edgecombe. Placed on the Calendar.

H. B. 252, S. B. 507, bill in relation to the fraudulent disposition of certain public documents, passed its several readings, and was ordered enrolled.

H. B. 467, S. B. 509, bill to amend the charter of the city of Raleigh, passed its second reading, ayes 29, noes 4, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Cuningham, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Hanes, Harper, Harris, Jones, Lockhart, Manning, McMillan, Mebane, New-som, Oates, Parish, Richardson, Scott of Rockingham, Staples, Tucker, Whitaker, Williamson of Davie and Wood-house—29.

Those voting in the negative were

Messrs. Clarke, King, Newland and Wynne—4.

H. B. 498, S. B. 511, bill requiring county commissioners to hold their sessions in the court-room of the court-house, was, on motion, laid on the table.

H. B. 825, S. B. 708, bill for the relief of R. McMillan, late sheriff of Robeson county, passed its several readings, and was ordered enrolled.

H. R. 103, S. R. 512, resolution asking our Senators and Representatives in Congress to use their influence to obtain an appropriation to clean out Little river, was on motion, laid on the table.

By consent,

Mr. Spears introduced

S. R. 723, resolution appointing a special committee to investigate the contested election of Jackson *vs.* Whitaker.

Mr. Dortch moved the resolution be rejected, on which motion

Mr. Spears demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 28, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Cuningham, Dever Dickey, Dortch, Finger, Gudger, Hampton, Harris, Jones,

Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Tucker, Woodhouse and York—28.

Those voting in the negative were

Messrs. Clarke, Hanes, Jenkins, King, Newsom, Pridgen, Scott of New Hanover, Spears, Williamson of Edgecombe and Wynne—10.

H. B. 187, S. B. 513, bill to amend chapter 62, Laws of 1880, passed its several readings, and was ordered enrolled.

The hour of half-past two o'clock having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

February 28th, 1881.

The Senate met pursuant to adjournment.

Mr. Davidson moved to reconsider the vote by which the Senate concurred in House amendment to

S. B. 483, H. B. 841, bill to amend an act to establish a Department of Agriculture, Immigration and Statistics, &c., which prevailed.

PETITIONS.

By consent,

Mr. Whitaker presented a petition of Trustees of the Roanoke Institute, located at Weldon. Referred to the committee on Finance.

Also, petitions from certain citizens of Halifax in relation

to the fence law. Referred to committee on Propositions and Grievances.

By consent,

Mr. Richardson introduced

S. B. 724, bill to incorporate the Carolina and Ocean Steamship Company. Referred to the committee on Corporations.

THE CALENDAR.

H. B. 698, S. B. 646, bill to amend chapter 36, Laws of 1874-'75, concerning Graham High School, passed its several readings and was ordered enrolled.

H. B. 181, S. B. 516, bill to incorporate the town of Burnsville in the county of Yancey, passed its several readings and was ordered enrolled.

H. B. 656, S. B. 664½, bill to incorporate the Clinton and Faison Railroad Company, passed its second reading, ayes 26, as follows:

Those voting in the affirmative were

Messrs. Battle, Burwell, Cuninghame, Davidson, Dever, Dickey, Dortch, Glenn, Gudger, Harper, Jenkins, Jones, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Respass, Richardson, Spruill, Woodhouse, Wynne and York—26.

By consent,

Mr. Scott of Rockingham reported from the committee on Corporations,

H. B. 828, S. B. 663, bill to incorporate the Danville, Mocksville and South-western Railroad Company, recommending it do pass.

On motion of Mr. Williamson of Davie, the rules were suspended and bill passed its second reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Cuninghame, Davidson, Dever,

Dickey, Dortch, Eaves, Finger, Glenn, Gudger, Harper, Jenkins, Jones, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—31.

By consent,

Mr. McMillan reported from the committee on Propositions, and Grievances,

H. R. 119, S. R. 645, resolution to investigate the sale and transfer of Carteret county's stock in the Atlantic and North Carolina Railroad, recommending it do pass.

H. B. 726, S. B. 571, bill to amend the Elizabeth City and Norfolk Railroad Company, on its second reading.

Amendment reported by the committee on Corporations was adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

H. B. 831, S. B. 678, bill to charter the Louisburg Railroad Company, passed its second reading, ayes 35, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Cuning- ham, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil, Glenn, Gudger, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—35.

S. B. 677, bill to protect the agricultural interests of Durant's Neck, Perquimans county, passed its several readings and was ordered engrossed.

S. B. 693, bill to prevent the felling of timber in North Toe river and Cane creek, Mitchell county, North Carolina, passed its several readings and was ordered engrossed.

H. B. 697, S. B. 623, bill to enable the board of justices

of the peace of Chatham county to build a new court-house, passed its second reading, ayes 39, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cuning-
ham, Davidson, Dever, Dickey, Dortch, Eaves, Finger,
Foil, Glenn, Hampton, Harper, Jenkins, Jones, Lockhart,
Manning, McMillan, Mebane, Merritt, Newland, Newsom,
Oates, Parish, Pridgen, Respass, Scott of Rockingham,
Spruill, Stowe, Tucker, Williamson of Davie, Williamson
of Edgecombe, Woodhouse, Wynne and York—39.

S. B. 657, bill to provide additional clerk hire for the
Auditor of the State, on its second reading.

Mr. Clarke demanded the ayes and noes on the passage
of the bill its second reading, which were ordered, and the
bill passed, ayes 24, noes 18, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carr, Dever, Dortch,
Finger, Foil, Glenn, Gudger, Harris, Lockhart, Manning,
Merritt, Oates, Respass, Richardson, Spruill, Staples, Stowe,
Tucker, Whitaker, Williamson of Davie and Woodhouse—24.

Those voting in the negative were

Messrs. Blue, Clarke, Cuningham, Dickey, Eaves, Hamp-
ton, Harper, Jenkins, King, McMillan, Mebane, Newland,
Newsom, Parish, Pridgen, Williamson of Edgecombe, Wynne
and York—18.

Bill was then put on its third reading, passed, and was
ordered to be sent to the House of Representatives without
engrossment.

H. B. 250, S. B. 620, bill to incorporate the Western In-
sane Asylum, passed its several readings and was ordered
enrolled.

S. B. 720, bill to allow R. A. Williams and Joseph Painter,
Jr., executors of Joseph Painter, Sr., to collect arrears of
taxes, passed its several readings and was ordered sent to
the House of Representatives without engrossment.

H. B. 349, S. B. 514, bill to amend section 1, chapter 242,

Laws of 1879, an act to drain certain lands in Lincoln county, passed its several readings and was ordered enrolled.

H. B. 397, S. B. 517, bill to prevent the obstruction of fish in the waters of the Scuppernong river in Tyrrell county, passed its several readings and was ordered enrolled.

H. B. 488, S. B. 519, bill to incorporate the Grand and Subordinate Lodges of the Knights of Honor of North Carolina, passed its several readings and was ordered enrolled.

H. B. 430, S. B. 520, bill to authorize the entry and patent of lands in Jones, Craven, Onslow, Tyrrell, Carteret and Dare counties belonging to the Literary Board of this State, passed its several readings and was ordered enrolled.

H. B. 427, S. B. 521, bill to provide for cotton weighers in the town of Apex, Wake county, passed its several readings and was ordered enrolled.

H. B. 415, S. B. 522, bill to amend section 2, chapter 53, Battle's Revisal, was, on motion, laid on the table.

H. B. 443, S. B. 526, bill to amend chapter 129, Laws of 1879, providing for draining swamp lands in Columbus and Robeson counties, passed its several readings and was ordered enrolled.

H. B. 435, S. B. 527, bill to incorporate Clayton Lodge, No. 33, I. O. of G. T., passed its several readings and was ordered enrolled.

H. R. 93, S. R. 601, resolution in relation to the granite column at Cowpens, passed its several readings and was ordered enrolled.

On motion of Mr. Staples,

S. R. 278, resolution in relation to Yorktown, was taken from the table and placed on the Calendar.

H. B. 420, S. B. 631, bill to repeal chapter 41, Laws of 1879, relating to attorneys.

Mr. Dortch offered a substitute for the bill.

On motion of Mr. Merritt, the bill was laid on the table.

H. B. 431, S. B. 528, bill to change the time of the sittings

of the Supreme Court, passed its second reading and was put upon its third reading.

Mr. Clarke moved to amend by striking out "February" and inserting "January." Lost.

Mr. Williamson of Edgecombe moved to lay the bill on the table. Lost.

The bill then passed its third reading and was ordered enrolled.

By consent,

Mr. Bernard introduced

S. B. 725, bill for the relief of the sureties of John Peebles, late Treasurer of Pitt county.

On motion of Mr. Bernard, the bill was taken up, passed its several readings and was ordered engrossed.

Mr. Spears, by consent, reported from the committee on Engrossed Bills, as properly engrossed,

S. B. 401, bill to incorporate the bank of Enfield.

On motion of Mr. Gudger,

H. B. 163, S. B. 478, bill in relation to official advertising, was taken from the table and placed on the Calendar.

H. B. 388, S. B. 529, bill to incorporate the town of Bayboro in the county of Pamlico, passed its several readings and was ordered enrolled.

H. B. 48, S. B. 550, bill to make slander indictable, on its second reading.

The amendment reported by the committee on Judiciary was adopted.

On motion of Mr. Scott of New Hanover, the bill was laid on the table.

H. B. 360, S. B. 552, bill concerning the burnt records in Lenoir county, on its second reading.

The amendment reported by the committee on Judiciary was adopted.

The bill then passed its several readings and was ordered engrossed.

S. B. 668, bill to enable the city of Wilmington to pro-

vide for the bonds maturing in 1882, passed its second reading, ayes 28, noes 2, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Clarke, Cuninghame, Dever, Dortch, Foil, Glenn, Gudger, Harper, Jenkins, Jones, Manning, Mebane, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Whitaker, Woodhouse, Wynne and York—28.

In the negative, Messrs. Davidson and Merritt—2.

H. B. 872, S. B. 703, bill to allow J. H. McNeil, administrator of G. F. McNeil, to collect arrears of taxes, passed its several readings and was ordered enrolled.

On motion, the Senate adjourned.

FORTY-EIGHTH DAY.

SENATE CHAMBER, March 1st, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. King : Petition of citizens of Lenoir county against the appointment of cotton weighers for LaGrange. Referred to the committee on Propositions and Grievances.

By Mr. Cuninghame : Petition of citizens of Person county against the passage of a law authorizing the extension of the Danville and Durham Turnpike Company. Referred to the committee on Internal Improvements.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Banks and Currency:

By Mr. Cuninghame: S. B. 665½, bill to designate the holidays to be observed and dates when papers will be due, recommending it do pass.

From the committee on Judiciary:

By Mr. Dortch: S. B. 587, bill to amend chapter 99, Battle's Revisal, recommending it do not pass.

S. B. 421, bill for the restoration of persons convicted of felony to the rights of citizenship, recommending it do not pass.

By Mr. Lockhart: S. B. 584, bill ratifying an election in the town of Elizabeth City, recommending it do not pass.

H. B. 644, S. B. 518, bill to provide for the better working of public roads in the county of Ashe, recommending it do not pass.

S. B. 469, bill to prevent fraud by insolvent debtors in making assignments of their property, recommending it do not pass.

By Mr. Tucker: S. B. 456, bill for raising revenue by taxing dogs, recommending it do not pass.

S. B. 545, bill to protect inebriates, recommending it do not pass.

S. B. 109, bill to amend section 1, chapter 183, Laws of 1879, recommending it do not pass.

S. B. 91, bill to amend rule 15a, section 20, chapter 63, Battle's Revisal, recommending it do not pass.

By Mr. Parish: H. B. 130, S. B. 479, bill for the better security of probate of deeds and other conveyances, recommending it do not pass.

S. B. 311, bill to give Rutherford county two weeks of Superior Court, recommending it do pass.

By Mr. Burwell: S. B. 540, bill to repeal so much of

chapter 83, Laws of 1866-'67 as declares Tar river a lawful fence, &c., recommending it do not pass.

S. B. 607, bill to provide for the removal of causes in courts of probate, recommending it do not pass.

H. B. 162, S. B. 510, bill to amend section 1, chapter 40, Laws of 1874-'75, recommending it do not pass.

By Mr. Williamson of Davie: H. B. 199, S. B. 551, bill to amend section 3, chapter 241, Laws of 1876-'77, respecting service by publication, recommending it do not pass.

S. B. 490, bill to amend chapter 17, Battle's Revisal, recommending it do not pass.

S. B. 498, bill to amend sub-section 1 of section 31, chapter 17, Battle's Revisal, recommending it do not pass.

By Mr. Clarke: S. B. 533, bill for the relief of sureties of D. A. Walford, late sheriff of Bertie county, recommending it do not pass.

S. B. 216, bill to amend the homestead law, chapter 55, Battle's Revisal, recommending it do pass.

From the committee on Finance:

By Mr. Burwell: S. B. 84, bill supplemental to an act creating a State Board of Health, reporting an amendment, and as amended, recommending it do pass.

By Mr. Richardson: H. B. 747, S. B. 718, bill to authorize the county commissioners of Harnett county to levy a special tax, recommending it do pass.

By Mr. Manning: H. R. 120, S. R. 714, resolution to remit tax fees in relation to turnpike charters and amendments thereto, recommending it do pass.

By Mr. Richardson: S. B. 696, bill to authorize the commissioners of Brunswick county to levy and collect a special tax, recommending it do pass.

By Mr. Manning: S. B. 190, bill to extend the time to redeem land sold for taxes, reporting an amendment, and as amended, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Oates: S. B. 729, bill to prevent live stock from

running at large in a certain portion of Stoney Creek township in Nash county, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Harper: Memorial from the North Carolina State Grange, asking to be discharged from its further consideration.

From the committee on Engrossed Bills:

The committee on Engrossed Bills reported as properly engrossed:

S. B. 583, bill for the relief of the heirs-at-law of the late N. W. Woodfin;

S. B. 672, bill to amend the charter of the High Shoals Manufacturing and Mining Company;

S. B. 532, bill amendatory of, and supplemental to an act passed by the General Assembly of North Carolina at its present session, entitled an act to provide for the establishment of a hospital in the city of Wilmington;

S. B. 588, bill to consolidate and amend the acts relating to the sale of intoxicating liquors in and near Chapel Hill;

S. B. 561, bill to lay off and construct a road from Mount Airy in Surry county to Sparta in Alleghany county;

S. B. 634, bill to enable county commissioners of certain counties to regulate the amount of sheriff's or tax collector's bonds;

S. B. 492, bill to incorporate the Atlantic and French Broad Valley Railway Company;

S. B. 725, bill for the relief of the sureties of John Peebles, late treasurer of Pitt county;

Mr. Scott of Rockingham, from the committee on Enrolled Bills, reported the following bills as properly enrolled:

S. B. 369, H. B. 636, an act to amend the charter of the city of Charlotte;

H. B. 657, S. B. 549, an act to incorporate the Danville and Haw River Railroad Company;

H. B. 524, S. B. 466, an act to incorporate the North Caro-

lina, London and Southern Mining and Commercial Company ;

S. B. 460, H. B. 845, an act for the better protection of those portions of Rowan county where the stock law prevails ;

H. B. 543, S. B. 633, an act to carry into effect certain provisions of the constitution of the State in regard to the University ;

H. B. 501, S. B. 649, an act allowing Alexander county, in the Eighth Judicial District, two weeks' term for the Superior Court ;

H. B. 463, S. B. 624, an act declaring Hiwassee river a lawful fence ;

H. B. 470, S. B. 499, an act to empower county surveyors and their deputies to administer oaths in certain cases ;

S. B. 22, H. B. 192, an act to regulate the size of the meshes of drag nets and seines in the waters of the Neuse and Trent rivers and their tributaries ;

S. B. 464, H. B. 724, an act to regulate pilotage for vessels owned in the county of Beaufort and other counties ;

S. B. 462, H. B. 851, an act to incorporate Cape Fear Lodge, No. 1841, of the Grand United Order of Odd Fellows in the town of Smithville, Brunswick county, North Carolina ;

H. B. 510, S. B. 301, an act to provide for revising and digesting the Public Statute Laws of this State ;

An act to incorporate the order of the United Sons of Liberty.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Scott of New Hanover : S. B. 726, bill to incorporate the Sons and Daughters of Charity Benevolent Aid Society of New Hanover county. Placed on the Calendar.

By Mr. Jones : S. B. 727, bill to amend the charter of the

town of Jacksonville in the county of Onslow, being chapter 11, Private Laws of 1866. Placed on the Calendar.

By Mr. Oates: S. B. 728, bill to regulate probate and registration fees in regard to crop liens. Referred to the committee on Salaries and Fees.

By Mr. Battle: S. B. 729, bill to prevent live stock from running at large in a certain portion of Stony Creek township in Nash county. Referred to the committee on Propositions and Grievances.

By Mr. Cuninghame: S. B. 730, bill to prevent the felling of trees in any of the creeks and rivers in Person county. Placed on the Calendar.

By Mr. Bernard: S. B. 731, bill to enable certain townships in Pitt county to vote a subscription to build a railroad. Placed on the Calendar.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 216, bill to amend the Homestead Law, chapter 55, Battle's Revisal, on its second reading.

Mr. Stowe moved to lay the bill on the table, on which

Mr. Respass demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 20, noes 23, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Cuninghame, Eaves, Gudger, Harris, Jenkins, King, McMillan, Mebane, Newsom, Oates, Pridgen, Respass, Richardson, Scott of New Hanover, Stowe and York—20.

Those voting in the negative were

Messrs. Burwell, Clarke, Davidson, Dickey, Dortch, Finger, Hampton, Hanes, Lockhart, Manning, Merritt, Newland, Parish, Scott of Rockingham, Spears, Spruill, Staples,

Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and Wynne—23.

On the passage of the bill its second reading,

Mr. Cuningham demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 29, noes 13, as follows :

Those voting in the affirmative were

Messrs. Bernard, Burwell, Carr, Clarke, Davidson, Dever, Dickey, Dortch, Finger, Foil, Hampton, Hanes, Jones, Lockhart, Manning, McMillan, Merritt, Newland, Parish, Scott of Rockingham, Spears, Spruill, Staples, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and Wynne—29.

Those voting in the negative were

Messrs. Blue, Carter, Cuningham, Eaves, Jenkins, King, Mebane, Oates, Pridgen, Respass, Richardson, Stowe and York—13.

Bill then passed its third reading and was ordered sent to the House of Representatives without engrossment.

Mr. Mebane moved to reconsider the vote by which

H. B. 789, S. B. 719, bill in relation to the Institution for the Deaf, the Dumb and the Blind, passed its third reading on yesterday. The motion prevailed.

Question recurring upon the passage of the bill its third reading,

Mr. Mebane moved to amend: Insert after the word "Institution" in section 2, line 3, the following: "and they shall, at their first meeting after the ratification of this act, elect of their number trustees."

Also, in section 9, after the words "June, 1881," insert "and every three years thereafter." Adopted.

The bill then passed its third reading, and the amendment was ordered engrossed.

H. R. 120, S. R. 714, resolution to remit tax fees in relation to turnpike charters and amendments thereto, passed its several readings and was ordered enrolled.

Mr. Tucker moved to reconsider the vote by which H. B. 59, S. B. 424, bill to pay Louis Hilliard and Thos. J. Wilson for services as Judges of the Superior Courts failed to pass its third reading on yesterday, which prevailed.

The bill was then placed on the Calendar.

S. B. 729, bill to prevent live stock from running at large in a certain portion of Stoney Creek township in Nash county, passed its second reading, ayes 33, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Cuningham, Dever, Dickey, Dortch, Finger, Foil, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Manning, McMillan, Merritt, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Woodhouse and York—33.

In the negative, Mr. Eaves—1.

S. B. 576, bill to provide for the working of convicts on the Western Railroad, now the Cape Fear and Yadkin Valley Railway, ratified February 27th, 1877, on its second reading.

The substitute reported by the committee on Internal Improvements was adopted.

Bill then passed its second reading and was put on its third reading.

Mr. Respass demanded the ayes and noes, which were ordered.

Pending consideration,

The hour of 12 o'clock having arrived,

S. B. 141, bill to establish a new county to be called Vance, being the special order for this hour, was taken up.

On motion of Mr. Staples, the special order was postponed for a few moments.

S. B. 576 was resumed.

The bill then failed to pass its third reading, ayes 14, noes 23, as follows :

Those voting in the affirmative were

Messrs. Blue, Dickey, Dortch, Gudger, Hampton, Jenkins,

Mebane, Merritt, Newland, Oates, Staples, Stowe, Tucker and York—14.

Those voting in the negative were

Messrs. Bernard, Burwell, Carter, Clarke, Cuninghame, Finger, Foil, Harper, Harris, King, Lockhart, Manning, Newsom, Parish, Respass, Richardson, Scott of Rockingham, Spears, Spruill, Whitaker, Williamson of Edgecombe, Woodhouse and Wynne—23.

S. B. 141, bill creating a new county to be called Vance, was taken up on its second reading.

The first amendment reported by the committee on Privileges and Elections was withdrawn.

The second amendment reported by the committee was adopted.

The amendment offered by Mr. Glenn was adopted.

Mr. Harris offered an amendment fixing the boundary of said county, which was adopted.

Mr. Clarke moved to amend: Insert after section 4 the following proviso:

“ Provided, That before this act shall go into effect, it shall be ratified by a majority of all the voters of Granville county embraced in the section of said county, to be included in the county of Vance, and if a majority of the voters of said section are opposed to being cut off from Granville county, said section shall not be included in said county of Vance, but be and remain in the county of Granville.”

Lost.

Mr. Carr (by request) moved to amend:

“ Provided, That the qualified electors of that portion of Warren county in the bill be allowed to vote whether they will be attached to Vance county or not.”

Lost.

The bill then passed its second reading, ayes 25, noes 20, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carr, Davidson, Dever, Dickey, Dortch, Finger, Gudger, Harris, Jones, Lockhart, Manning, McMillan, Newland, Oates, Respass, Richardson, Spears, Spruill, Staples, Stowe, Whitaker, Williamson of Davie and Woodhouse—25.

Those voting in the negative were

Messrs. Burwell, Carter, Clarke, Cuninghame, Eaves, Foil, Hampton, Hanes, Harper, Jenkins, King, Mebane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Tucker and York—20.

On motion of Mr. Dortch, the bill was made special order for Wednesday, 2nd inst., at 12 M.

S. B. 190, bill to extend the time to redeem lands sold for taxes, on its second reading.

The amendment reported by the committee on Finance was adopted.

Bill then passed its second reading, and was put on its third reading.

Mr. Richardson moved to amend: "That the Secretary of State be and is hereby directed to have this act published in four newspapers in this State." Adopted.

Bill then passed its third reading and was ordered engrossed.

H. B. 697, S. B. 623, bill to enable the board of justices of the peace of Chatham county to build a new court-house, passed its third reading, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dever, Dickey, Dortch, Eaves, Finger, Foil, Hampton, Hanes, Harper, Jones, King, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—34.

H. B. 656, S. B. 664½, bill to incorporate the Clinton and Faison Railroad Company, passed its third reading, ayes 33, as follows:

Those voting in the affirmative were:

Messrs. Bernard, Blue, Burwell, Carr, Carter, Cuning-
ingham, Dever, Dickey, Dortch, Foil, Gudger, Hanes, Har-
per, Harris, Jones, McMillan, Mebane, Merritt, Newsom,
Oates, Parish, Respass, Richardson, Scott of Rockingham,
Staples, Stowe, Tucker, Whitaker, Williamson of Davie,
Williamson of Edgecombe, Woodhouse, Wynne and York
—33.

H. B. 467, S. B. 509, bill to amend the charter of the City
of Raleigh, on its third reading.

Mr. Staples moved to amend section 3 by striking out the
word "two" in line six and inserting the word "one."
Adopted.

Bill then passed its third reading, ayes 26, noes 2, as fol-
lows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cuning-
ham, Dever, Dickey, Dortch, Finger, Foil, Gudger, Hampton,
Hanes, Harris, Jones, Manning, McMillan, Merritt, New-
land, Newsom, Pridgen, Richardson, Tucker, Williamson
of Davie and Woodhouse—26.

In the negative, Messrs. Scott of Rockingham and
Wynne—2.

H. B. 828, S. B. 663, bill to incorporate the Danville,
Mocksville and South-western Railroad Company, passed its
third reading, ayes 33, noes 1, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cuning-
ham, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil,
Hampton, Hanes, Harper, Jones, Lockhart, Manning, Mc-
Millan, Mebane, Merritt, Newsom, Parish, Pridgen, Richard-
son, Scott of Rockingham, Spruill, Tucker, Williamson of
Davie, Woodhouse, Wynne and York—33.

In the negative, Mr. Newland—1.

S. B. 668, bill to enable the city of Wilmington to provide

for the bonds maturing in 1882, passed its third reading, ayes 29, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Clarke, Cuningham, Davidson, Dever, Dortch, Finger, Foil, Hampton, Hanes, Harper, Jones, Lockhart, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Respass, Richardson, Tucker, Williamson of Davie, Woodhouse, Wynne and York—29.

On motion of Mr. Richardson, the bill was ordered sent to the House of Representatives without engrossment.

H. B. 831, S. B. 678, bill to charter the Louisburg Railroad Company, passed its third reading, ayes 31, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuningham, Dever, Dickey, Dortch, Finger, Foil, Hampton, Hanes, Harper, Harris, Jones, Manning, McMillan, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spruill, Tucker, Williamson of Davie and Woodhouse—31.

In the negative, Messrs. Spears and York—2.

S. B. 26, bill to repeal so much of chapter 232, Laws of 1879, as relates to Draughan's school-house and church, in Edgecombe county, was, on motion, laid on the table.

S. B. 557, bill relating to sales by commissioners under order of court, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 69, bill to revise and consolidate the public school law of North Carolina, was, on motion, laid on the table.

S. B. 730, bill to prevent the felling of trees in any of the creeks or rivers in Person county, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 85, bill to commute, compromise and settle certain claims against the State of North Carolina, was, on motion, laid on the table.

S. B. 125, bill to amend an act passed by the General Assembly at its session in 1879, "to prohibit the sale of spirituous liquors in certain localities," was, on motion, laid on the table.

S. B. 196, bill to amend chapter 41, Acts of the special session of 1880, passed its several readings and was ordered engrossed.

By consent,

Mr. Tucker reported from the committee on Salaries and Fees,

S. B. 728, bill to regulate probate and registration fees in regard to crop liens,

Recommending it do pass.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 153, S. B. 732, bill to authorize the State Treasurer to exchange the stock of the State in the Albemarle and Chesapeake Canal Company for the bonds of the State. Referred to the committee on Corporations.

Also, announcing the concurrence of that body in Senate amendments to

H. B. 524, S. B. 466, bill to incorporate the North Carolina, London and Southern Mining and Commercial Company, and had ordered the same enrolled for ratification.

Also, announcing the refusal of that body to pass

S. B. 577, bill to increase the number of magistrates in Beaufort and other counties.

The Calendar was resumed.

S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled "Judges of Probate," on its second reading.

The substitute reported by the committee was adopted.

Mr. Lockhart moved to lay the bill on the table. Lost.

Mr. Williamson of Edgecombe moved to amend: Add,

“In those counties in which there are Inferior or other Courts, whose clerks have probate powers, the requirements that clerks of the Superior Courts shall be present in their offices on Mondays is hereby repealed.”

Lost.

Pending consideration,

The hour of half-past two o'clock P. M. having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 1st, 1881.

By consent,

Mr. Davidson introduced

S. B. 733, bill to commute and settle certain outstanding indebtedness of the late Western Division of the Western North Carolina Railroad Company. Referred to the committee on Finance.

Mr. Wynne introduced

S. B. 734, bill to amend chapter 264, Laws of 1879. Referred to the committee on Judiciary.

Mr. Staples introduced

S. R. 736, resolution to print one thousand copies of testimony in relation to the Western North Carolina Railroad Company.

On motion of Mr. Staples, the resolution was taken up, adopted, and ordered engrossed.

UNFINISHED BUSINESS.

S. B. 473, bill to amend chapter 90, Battle's Revisal, entitled "Judges of Probate," was taken up on its second reading, it being the unfinished business of this morning.

Mr. Harper moved to amend: Insert "August" in place of "July, August and September." Adopted.

Bill then passed its several readings, and was ordered engrossed.

Mr. Davidson moved to reconsider the vote by which H. B. 224, S. B. 286, bill giving aid to the North Carolina Industrial Association, failed to pass its second reading on yesterday, and moved to postpone the consideration of the motion, which prevailed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

H. B. 943, S. B. 735, bill to incorporate the Almi and Little Rock Railroad Company. Placed on the Calendar.

A message was received from the House transmitting engrossed House amendment to

S. B. 568, H. B. 854, bill for the better government of the North Carolina Asylum.

The amendment was concurred in and ordered enrolled.

Also asking the return of

H. B. 708, bill to protect pilots of Hatteras Inlet from forfeiture of the license by reason of ten days' absence from the State, which was ordered.

Also return of

H. B. 761, bill to incorporate Mill Creek Lodge, No. 125, F. and A. Masons, which was granted.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Internal Improvements :

By Mr. Staples: S. B. 676, bill to encourage the investment in the State of foreign capital, recommending it do not pass.

S. B. 438, bill to encourage the investment in the State of foreign capital, recommending it do not pass.

S. B. 219, bill to establish a public road through the State's land and improve the same, reporting a substitute, and recommending the substitute do pass.

By Mr. Richardson: S. B. 608, bill to provide for the sale of the State's interest in the Atlantic and North Carolina Railroad Company, the North Carolina Railroad Company and the Western North Carolina Railroad Company, recommending it do not pass.

By Mr. Lockhart: H. B. 79, S. B. 597, bill to enable the Roxboro and Danville Turnpike Company to establish a turnpike road from the Virginia line to Durham, recommending it do not pass.

From the committee on Fish and Fisheries :

By Mr. York: H. B. 785, S. B. 653, bill to protect fish in Lumber river in the counties of Columbus and Robeson, recommending it do pass.

From the committee on Insurance:

By Mr. Spruill: S. B. 200, bill to amend and to consolidate the insurance laws of North Carolina, reporting an amendment, and as amended recommending it do pass.

S. B. 613, bill for the better protection of persons holding life insurance policies in this State, recommending it do not pass.

From the committee on Corporations :

By Mr. Harper: H. B. 504, S. B. 640, bill to incorporate Shady Grove Methodist Church, South, in the county of Haywood, recommending it do pass.

H. B. 762, S. B. 643, bill to incorporate the Trustees of Tyson Creek Academy in Chatham county, recommending it do pass.

H. B. 645, S. B. 654, bill to incorporate Union Chapel Church and Camp Ground, recommending it do pass.

H. B. 813, S. B. 701, bill to charter the Bank of Kinston, recommending it do pass.

H. B. 495, S. B. 710, bill to amend chapter 107, laws of 1874-'75, relating to the town of LaGrange, in the county of Lenoir, recommending it do pass.

H. B. 583, S. B. 700, bill to amend the charter of the Fairfield Canal Company in Hyde county, recommending it do pass.

S. B. 724, bill to incorporate the Carolina and Ocean Steamship Company, recommending it do pass.

S. B. 605, bill to incorporate Freedman's Chapel in Randolph county, recommending it do pass.

S. B. 606, bill to amend the charter of the town of Trinity in Randolph county, recommending it do pass.

S. B. 662, bill to insure fair play to the voters of the city of Wilmington, recommending it do not pass.

By Mr. Lockhart: H. B. 735, S. B. 705, bill to incorporate the Beaver Dam Drainage Company of Sampson county, reporting an amendment, and as amended recommending it do pass.

The Calendar was taken up.

S. B. 656, bill to amend the charter of the town of Saul's Cross Roads in Wayne county, passed its several readings and was ordered sent to the House without engrossment.

H. B. 582, S. B. 595, bill to incorporate the Cotton and Merchants' Exchange in the town of Goldsboro, passed its several readings and was ordered enrolled.

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c., was, on motion of Mr. Respass, laid on the table.

H. B. 429, S. B. 554, bill to amend the charter of the town of Beaufort in the county of Carteret, was,

On motion, laid on the table.

H. B. 322, S. B. 578, bill to amend section 11, chapter 92, Laws of 1879, on its second reading, and failed to pass.

On motion of Mr. Spears, the vote by which the bill failed to pass its second reading was reconsidered.

Bill then passed its several readings and was ordered enrolled.

On motion of Mr. Williamson of Davie,

H. B. 362, S. B. 553, bill to regulate the board of commissioners of the navigation of Hatteras Inlet, &c., was taken from the table and placed on the Calendar.

H. B. 943, S. B. 735, bill to incorporate the Almi and Little Rock Railroad Company, passed its several readings and was ordered enrolled.

H. B. 584, S. B. 580, bill to incorporate the Raleigh Council of the Royal Arcanum, passed its several readings and was ordered enrolled.

H. B. 748, S. B. 581, bill to authorize the commissioners of Alleghany county to sell the old court-house and lot of said county, passed its several readings and was ordered enrolled.

H. B. 293, S. B. 593, bill to prohibit the sale of spirituous liquors in the town of Dobson in the county of Surry, passed its several readings and was ordered enrolled.

H. R. 71, S. R. 602, resolution asking our Senators and Representatives in Congress to re-establish the light beacon at Hatteras, &c., passed its several readings and was ordered enrolled.

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c., passed its several readings and was ordered enrolled.

S. B. 562, bill to amend the charter of the town of Statesville, on its second reading.

Mr. Tucker moved to amend: Add at the end of sec. 1:

“ *Provided*, That no tax on poll, personal or real property shall be levied or collected upon the person or property in the new territory taken in by this act to pay any debt or debts now due from the town of Statesville.”

Adopted.

The bill then passed its second reading, ayes 36, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Cuning- ham, Davidson, Dickey, Dortch, Faison, Finger, Glenn, Harper, Harris, Jenkins, Jones, Lockhart, Manning, McMil- lan, Mebane, Merritt, Newland, Newsom, Oates, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rock- ingham, Stowe, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—36.

S. B. 661, bill to incorporate the Salamander Fire Com- pany of Washington, passed its several readings and was ordered engrossed.

H. B. 648, S. B. 717, bill to authorize the commissioners of McDowell county to levy a special tax, passed its second reading, ayes 35, noes 2, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Clarke, Cuningham, Davidson, Dortch, Eaves, Faison, Finger, Glenn, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Lockhart, Manning, McMillan, Merritt, Newland, Newsom, Oates, Pridgen, Res- pass, Richardson, Scott of Rockingham, Stowe, Tucker, Wil- liamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—35.

In the negative, Messrs. Carter and Spears—2.

S. B. 673, bill to establish and define the boundary line between the lands of Albemarle Swamp Land Company and adjacent land owners, passed its several readings, and was ordered engrossed.

S. B. 184, bill to authorize the Piedmont Railroad Com- pany to extend aid to the North-Western North Carolina

Railroad and other roads in the State, on its second reading.

On motion of Mr. Scott of Rockingham, the bill was postponed until Thursday, 3rd inst., at 12 M., and made the special order for that hour.

S. B. 724, bill to incorporate the Carolina and Ocean Steamship Company, passed its several readings, and was ordered sent to the House without engrossment.

H. B. 116, S. B. 626, bill to require owners and lessees of cotton gins to keep them so enclosed as to turn swine and stock going at large, passed its several readings, and was ordered enrolled.

H. B. 490, S. B. 655, bill to pay jurors of the county of Graham, passed its several readings, and was ordered enrolled.

H. R. 116, S. R. 627, resolution in relation to the acts of this General Assembly in regard to crimes and offences against the State, passed its several readings, and was ordered enrolled.

H. B. 300, S. B. 644, bill to ascertain the indebtedness of Chowan county, passed its several readings, and was ordered enrolled.

S. B. 569, bill to regulate fishing in Mills' river in Henderson county, passed its several readings, and was ordered engrossed.

S. B. 614, bill to authorize the county commissioners of Haywood county to levy a special tax, passed its second reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Cuninghame, Davidson, Dever, Dickey, Dortch, Eaves, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Manning, McMillan, Newland, Newsom, Oates, Pridgen, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne, and York—31.

S. B. 697, bill to change the time of making returns to the

Secretary of State of entries of vacant public lands by entry takers, passed its several readings, and was ordered engrossed.

H. B. 767, S. B. 679, bill to establish a graded public school in Goldsboro, passed its second reading, ayes 34, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Clarke, Cuning-
ham, Dever, Dickey, Dortch, Eaves, Faison, Finger, Foil, Glenn,
Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones,
Manning, McMillan, Newland, Newsom, Oates, Richardson,
Spears, Spruill, Stowe, Tucker, Whitaker, Williamson of
Davie, Woodhouse and York—34.

S. B. 350, bill for the relief of certain disabled Confederate soldiers, on its second reading.

Amendments reported by the committee on Propositions and Grievances were adopted.

Mr. Richardson moved to amend: Add to the first amend-
ment reported by the committee the words, "An arm and
two or more fingers of his remaining hand." Adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 751, S. B. 632, bill to authorize the board of county commissioners of Perquimans county to levy a special tax, passed its third reading, ayes 37, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Cuning-
ham, Dever, Dickey, Dortch, Faison, Finger, Foil, Glenn,
Gudger, Hampton, Harper, Harris, Jenkins, Jones, King,
Manning, McMillan, Mebane, Merritt, Newland, Newsom,
Oates, Pridgen, Richardson, Scott of Rockingham, Stowe,
Tucker, Williamson of Davie, Williamson of Edgecombe,
Woodhouse, Wynne and York—37.

H. B. 747, S. B. 718, bill to authorize the commissioners of Harnett county to levy a special tax, passed its second reading, ayes 30, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Cuning-
ham, Davidson, Dortch, Faison, Finger, Foil, Hampton,
Harper, Harris, Jenkins, Jones, Manning, McMillan, Me-
bane, Merritt, Newland, Newsom, Oates, Richardson, Stowe,
Tucker, Williamson of Davie, Woodhouse, Wynne and
York—30.

In the negative, Mr. Spears—1.

S. B. 617, bill to authorize the commissioners of Granville
county to levy a special tax, passed its second reading,
ayes 29, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Cuning-
ham, Davidson, Dickey, Dortch, Eaves, Faison, Finger, Foil,
Gudger, Hampton, Harper, Jones, Manning, McMillan, Mer-
ritt, Newland, Oates, Pridgen, Richardson, Scott of Rock-
ingham, Tucker, Williamson of Davie, Wynne and York
—29.

H. B. 578, S. B. 628, bill to amend section 4, chapter 80,
Private Laws of 1879, passed its several readings and was
ordered enrolled.

Mr. Williamson of Davie moved to adjourn, on which the
ayes and noes were ordered, and the motion prevailed, ayes
26, noes 11, as follows :

Those voting in the affirmative were

Messrs. Bernard, Burwell, Carter, Clarke, Davidson,
Dortch, Eaves, Faison, Foil, Hampton, Hanes, Harris, Jen-
kins, Jones, Manning, McMillan, Mebane, Merritt, Newland,
Newsom, Oates, Pridgen, Respass, Richardson, Williamson
of Davie and Woodhouse—26.

Those voting in the negative were

Messrs. Cuningham, Dickey, Spears, Spruill, Staples,
Stowe, Tucker, Whitaker, Williamson of Edgecombe, Wynne
and York—11.

FORTY-NINTH DAY.

SENATE CHAMBER, March 2nd, 1881.

The Senate met pursuant to adjournment.
The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Carr : Petition relative to prohibition. Referred to the committee on Prohibition.

By Mr. Manning : Petition for the relief of Jephtha A. Ward of Chowan. Referred to the committee on Judiciary.

Mr. Glenn was announced detained in his room on account of sickness.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From committee on Banks and Currency :

By Mr. Cuninghame : S. B. 660, bill to incorporate the Bank of Craven, reporting a substitute, and recommending the substitute do pass.

From the committee on Propositions and Grievances :

By Mr. Woodhouse : H. B. 708, S. B. 650, bill to protect pilots at Hatteras Inlet from forfeiture of their branch, &c., reporting an amendment, and as amended recommending it do pass.

H. B. 131, S. B. 579, bill to lay off and regulate the wreck districts of Dare county, recommending it do pass.

By Mr. Eaves : S. B. 351, bill to provide for additional servants for the various State departments, reporting an amendment, and as amended recommending it do pass.

By Mr. McMillan: H. B. 666, S. B. 648, bill to prevent the felling of timber in Falling creek in Lenoir county, recommending it do pass.

S. B. 603, bill to protect the rice lands on Eagle Island, recommending it do not pass.

S. B. 636, bill to amend the act of 1879, concerning the public roads, recommending it do pass.

H. B. 873, S. B. 713, bill for the protection of sheep in the county of Buncombe, recommending it do pass.

By Mr. Jones: H. B. 476, S. B. 711, bill to amend chapter 34, Laws of 1880, by permitting the citizens of Harnett county to remove existing obstructions in the Cape Fear river, recommending it do pass.

H. B. 512, S. B. 599, bill to amend chapter 82, Laws of 1879, and chapter 30, Laws of Special Session, 1880, recommending it do pass.

By Mr. Oates: H. B. 603, S. B. 709, bill to protect the public bridges on Scuppernong at Columbia and the Cross Landing and Alligator creek in Tyrrell county, recommending it do pass.

S. B. 658, bill to amend section 15, chapter 90, Battle's Revisal, reporting it back without recommendation.

H. B. 207, S. B. 362, bill to amend chapter 30, Laws of 1880, entitled "An act to amend chapter 82, Laws of 1879, entitled an act to provide for keeping in repairs the public roads of this State," recommending it do pass.

By Mr. Battle: H. B. 796, S. B. 706, bill to appoint two additional cotton weighers in the town of Goldsboro, reporting a substitute, and recommending the substitute do pass.

S. B. 669, bill to prevent the destruction of fish in Hannah's creek in Johnston county, recommending it be referred to the committee on Fish and Fisheries. It was so referred.

S. B. 637, bill to amend chapter 111, section 1, Laws of 1879, entitled an act to amend chapter 102, Laws of 1876-'77,

reporting a substitute and recommending the substitute do pass.

H. B. 601, S. B. 600, bill to authorize the commissioners of Pender county to levy a special tax to build a court-house and jail, recommending it do pass.

S. B. 543, bill to prevent the felling of timber or other obstructions in South Fork creek in Forsythe and Davidson counties, and for other purposes, recommending it do pass.

H. B. 707, S. B. 704, bill to appoint cotton weighers for the town of LaGrange in Lenoir county, recommending it do not pass.

From the committee on Finance :

By Mr. Richardson: S. B. 445, bill to compel all railroads to pay State and county taxes, recommending its reference to the committee on Judiciary.

By Mr. Manning: H. B. 542, S. B. 707, bill to allow mileage to the sheriff of Carteret county, recommending it do not pass.

From committee on Fish and Fisheries :

By Mr. York: H. B. 667, S. B. 647, bill to amend chapter 118, Battle's Revisal, so as include the county of Hyde, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Dortch: S. B. 674, bill to amend chapter 72, Private Laws of 1876-'77, relating to turnpike roads in Mitchell county, recommending it do pass.

From the committee on State Debt :

By Mr. Finger: S. B. 547, bill to amend "an act to adjust and renew a portion of the State debt, ratified the 14th March, 1879," reporting an amendment to the substitute, and, as amended, recommending the substitute do pass.

The committee on Engrossed Bills reported as properly engrossed :

S. B. 638, bill to amend Battle's Revisal, chapter 27, section 8;

S. B. 575, bill to amend chapter 163, Laws of 1871-'72;

S. R. 618, resolution to pay the employees of the General Assembly ;

S. B. 677, bill to protect the agricultural interests of Durrant's Neck, Perquimans county ;

S. B. 564, bill to exempt from jury duty certain firemen ;

S. B. 693, bill to prevent the felling of timber in North Toe river and Cane creek, Mitchell county, N. C. ;

H. B. 360, S. B. 552, bill concerning the burnt records in Lenoir county ;

H. B. 267, S. B. 294, bill to prevent the felling of trees and brush in Dolly's Gut and Greene's Thoroughfare ;

H. B. 467, S. B. 509, bill to amend the charter of the city of Raleigh ;

H. B. 789, S. B. 719, bill in relation to the Institution for the Deaf, Dumb and the Blind ;

H. B. 726, S. B. 571, bill to amend the charter of the Elizabeth City and Norfolk Railroad Company ;

S. B. 351, bill to provide for additional servants for the various State departments ;

S. B. 141, bill to establish a new county to be called Vance.

From the committee on Enrolled Bills :

H. B. 187, S. B. 513, an act to amend chapter 62, Laws of 1880 ;

H. B. 519, S. B. 531, an act to reduce the corporate limits of the town of Monroe in Union county, and for other purposes ;

H. B. 349, S. B. 514, an act to amend section 1, chapter 242, Laws of 1879, entitled an act to drain certain lands in Lincoln county ;

H. B. 488, S. B. 519, an act to incorporate the Grand and Subordinate Lodges of the Knights of Honor of North Carolina ;

H. B. 443, S. B. 526, an act to amend chapter 129, Laws of 1879, providing for draining swamp lands in Columbus and Robeson counties with convict labor ;

S. B. 436, H. B. 811, an act to charter the Danville and New River Railroad;

H. B. 430, S. B. 520, an act to authorize the entry and patent of lands in Jones, Craven, Onslow, Tyrrell, Carteret and Dare counties, belonging to the Literary Board of this State;

S. B. 23, H. B. 810, an act to secure the better drainage of low lands in the counties of Catawba, Lincoln, Rowan, Davie, Iredell, Mecklenburg, Caldwell and Burke;

S. B. 488, H. B. 849, an act to incorporate Mount Lebanon Lodge, No. 25, Free and Accepted Masons of Tarboro, N. C.;

S. B. 548, H. B. 847, an act supplemental to an act to declare Queen Anne's creek, in Chowan county, a lawful fence;

S. B. 305, H. B. 609, an act to authorize the treasurer of Pitt county to settle with the sureties of Edward Wilson, late sheriff of said county;

S. B. 541, H. B. 850, an act to divide the town of Smithfield, in Johnston county, into separate wards, and for other purposes;

H. B. 433, S. B. 296, an act to incorporate the town of White Hall, in the county of Wayne;

S. B. 329, H. B. 621, an act to allow the county commissioners of Pitt county to appoint two cotton weighers for the town of Greenville;

S. B. 373, H. B. 740, an act to allow the commissioners of Rutherford county to issue bonds;

H. B. 252, S. B. 507, an act in relation to the fraudulent disposition of certain public documents;

S. B. 430, H. B. 809, an act to donate one acre of State land to Shaw University for the purpose of erecting a colored medical college;

H. B. 518, S. B. 515, an act to amend an act to incorporate the Warm Springs and Paint Rock Turnpike Company;

S. B. 403, H. B. 722, an act to authorize the commissioners of Cabarrus county to levy a special tax;

H. B. 292, S. B. 530, an act to amend an act to incorporate the North-Western Railroad Company, Laws of 1866-'67;

H. B. 508, S. B. 508, an act to authorize the construction of a turnpike road from Cooper's Station and Black Mountain Station, on the Western North Carolina Railroad, in Buncombe, to Mitchell's Peak and Craggy, in said county, and Green Pond, in Yancey county;

S. B. 224, H. B. 634, an act to authorize the North-Western North Carolina Railroad Company to extend its road and to build branches thereof;

S. B. 725, H. B. 953, an act for the relief of the sureties of John Peebles, late treasurer of Pitt county;

H. R. 120, S. R. 714, resolution to remit tax fees in relation to turnpike charters and amendments thereto;

S. B. 486, H. B. 844, an act to authorize the county commissioners of Surry county to levy a special tax.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and were disposed of as follows:

By Mr. Staples: S. R. 736½, resolution of instruction to the Judiciary committee. Placed on the Calendar.

By Mr. Newsom: S. R. 737, resolution to allow Andrew Jackson, contestant from Halifax, mileage and per diem. Placed on the Calendar.

By Mr. Burwell: S. B. 742, bill to incorporate Craighead Lodge, No. 366, A. F. and A. M. Placed on the Calendar.

By Mr. Dortch: S. B. 743, bill to change the time of holding the superior courts of the counties of Nash and Wilson, in the third judicial district. Placed on the Calendar.

By Mr. Harper: S. B. 744, bill supplemental to an act to pay certain school orders in Johnston county. Placed on the Calendar.

By Mr. Whitaker: S. B. 745, bill to authorize the board of commissioners of Halifax county to order the payment of certain school orders. Placed on the Calendar.

By Mr. Richardson: S. B. 746, bill to repeal section 2, chapter 50, Laws of 1879. Referred to the committee on Agriculture, Mechanics and Mining.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 753, S. B. 738 $\frac{1}{2}$, bill to amend chapter 118, Battle's Revisal. Referred to the committee on Propositions and Grievances.

H. B. 145, S. B. 739, bill to amend chapter 32, Private Laws of 1874-'75, being an act entitled an act to incorporate the Oriental Fish and Oyster Company. Placed on the Calendar.

H. B. 911, S. B. 740, bill to render more efficient laws regulating the sale of spirituous liquors by the small measure. Placed on the Calendar.

H. R. 121, S. R. 741, resolution in favor of the Caldwell and Watauga Turnpike Company. Placed on the Calendar.

On motion of Mr. Tucker,

H. B. 911, S. B. 740, bill to render more efficient laws regulating the sale of spirituous liquors by the small measure, was taken up, postponed until this evening at half-past seven o'clock, and made the special order for that hour.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

H. B. 678, S. B. 629, bill to change the name of the town of Quehele, in Robeson county, to that of Shoe Heel, passed its several readings and was ordered enrolled.

S. B. 690, bill to promote immigration, on its second reading.

Mr. Spears demanded the previous question. Not sustained.

Mr. Newsom moved to amend :

“ *Provided*, The printing do not exceed eight hundred and fifty dollars.”

Mr. Battle moved to amend the amendment: Strike out “ eight hundred and fifty ” and insert “ fifteen hundred.”

Mr. Spears moved to lay the bill on the table, on which

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 19, noes 24, as follows :

Those voting in the affirmative were

Messrs. Bernard, Burwell, Clarke, Cuninghame, Eaves, Hampton, Hanes, King, Lockhart, Manning, Mebane, Merritt, Newland, Parish, Richardson, Spears, Tucker, Williamson of Davie and Wynne—19.

Those voting in the negative were

Messrs. Battle, Blue, Carter, Davidson, Dickey, Dortch, Faison, Foil, Gudger, Harper, Harris, Jenkins, Jones, McMillan, Newsom, Oates, Pridgen, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Williamson of Edgecombe, Woodhouse and York—24.

Mr. Staples demanded the previous question, which was sustained.

Mr. Battle's amendment to the amendment was adopted.

The amendment was then adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Williamson of Edgecombe moved to amend: Insert, “ *Provided*, The funds otherwise appropriated for the agricultural department shall prove insufficient for the purposes of this act.” Adopted.

On the passage of the bill its third reading, Mr. Burwell demanded the ayes and noes, which were ordered, and the bill failed to pass, ayes 17, noes 25, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carter, Davidson, Dickey, Faison, Foil, Gudger, Jenkins, Newsom, Oates, Pridgen, Spruill, Staples, Williamson of Edgecombe, Woodhouse and York—17.

Those voting in the negative were

Messrs. Bernard, Burwell, Carr, Clarke, Cuninghame, Dortch, Eaves, Finger, Hampton, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Parish, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Stowe, Whitaker, Williamson of Davie and Wynne—25.

Mr. Whitaker moved to reconsider the vote by which

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c., passed its third reading on yesterday. The consideration of the motion was postponed for the present.

SPECIAL ORDER.

S. B. 547, bill to amend an act to adjust and renew a portion of the State debt, ratified the 14th day of March, 1879, on its third reading, being the special order for this hour.

The substitute offered by Mr. Finger, and recommended by the committee on State debt, was adopted.

The amendment reported by the committee to the substitute was adopted.

Mr. Staples moved to amend: Strike out all after the enacting clause and insert:

“SEC. 1. That the Treasurer of the State is hereby authorized to adjust and settle the debt of the State known as the construction bond debt by issuing for the bonds outstand-

ing dollar for dollar, including the interest thereon, four per cent. bonds of the State similar to the bonds issued in compromise of the State debt under an act of the General Assembly passed at the session of 1879, and the State's stock shall be held liable for the payment of the said bonds.

SEC. 2. That the Treasurer is hereby authorized to carry out the provisions of this act in such manner as will best subserve the public interest."

On which Mr. Staples demanded the ayes and noes, which were ordered.

Mr. Dortch asked for a division of the question.

The motion to strike out did not prevail, ayes 3, noes 29, as follows:

Those voting in the affirmative were

Messrs. Hampton, Staples and Stowe—3.

Those voting in the negative were

Messrs. Bernard, Clarke, Cuninghame, Davidson, Dortch, Faison, Finger, Foil, Hanes, Harris, Lockhart, Manning, Mebane, Newland, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of Rockingham, Spears, Spruill, Tucker, Williamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—29.

Mr. Finger moved to amend: Strike out the word "Company" in 4th line of section 2. Adopted.

Bill then passed its third reading, and was ordered engrossed.

SPECIAL ORDER.

S. B. 141, bill to establish a new county to be called Vance, was taken up on its third reading, it being the second special order for to-day.

Mr. Dortch demanded the previous question, which was sustained.

Bill then passed its third reading, ayes 23, noes 16, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carr, Davidson, Dickey, Dortch, Finger, Gudger, Harris, Jones, Lockhart, Manning, McMillan, Oates, Respass, Richardson, Spears, Spruill, Staples, Stowe, Whitaker, Williamson of Davie and Woodhouse—23.

Those voting in the negative were

Messrs. Burwell, Carter, Clarke, Cuninghame Eaves, Foil, Hanes, Harper, Jenkins, King, Parish, Scott of New Hanover, Tucker, Williamson of Edgecombe and York—16.

Mr. Dortch moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

The motion to reconsider the vote by which

H. B. 362, S. B. 553, bill to regulate the board of commissioners for the navigation of Hatteras Inlet, &c., passed its third reading, was taken up.

Mr. Clarke moved to lay the motion to reconsider on the table, on which the ayes and noes were ordered, and the motion to table was lost, ayes 11, noes 26, as follows:

Those voting in the affirmative were

Messrs. Carter, Clarke, Hanes, Jenkins, King, Newsom, Pridgen, Spears, Stowe, Williamson of Edgecombe and Wynne—11.

Those voting in the negative were

Messrs. Bernard, Blue, Burwell, Cuninghame, Dickey, Dortch, Faison, Gudger, Hampton, Harper, Harris, Jones, Lockhart, Manning, McMillan, Merritt, Oates, Parish, Respass, Richardson, Scott of Rockingham, Staples, Tucker, Whitaker, Woodhouse and York—26.

The motion to reconsider prevailed.

On motion of Mr. Respass, the bill was laid on the table.

S. B. 742, bill to incorporate Craighead Lodge No. 366, A.

F. and A. M., passed its several readings, and was ordered engrossed.

S. B. 534, bill to repeal chapters 109 and 194, Acts of 1868-'69, passed its several readings, and was ordered engrossed.

S. B. 562, bill to amend the charter of the town of Statesville, passed its third reading, ayes 28, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Cuningham, Dickey, Dortch, Faison, Finger, Gudger, Hampton, Harper, Lockhart, Manning, McMillan, Mebane, Newland, Oates, Parish, Pridgen, Respass, Richardson, Staples, Tucker, Williamson of Davie, Woodhouse and York—28.

S. B. 744, bill supplemental to an act to pay certain school orders in Johnston county, passed its several readings and was ordered sent to the House of Representatives without engrossment.

S. B. 728, bill to regulate probate and registration fees in regard to crop liens, on its second reading.

Mr. Burwell moved to table. Lost.

On the passage of the bill its second reading,

Mr. Stowe demanded the ayes and noes, which were ordered, and the bill failed to pass, ayes 17, noes 20, as follows :

Those voting in the affirmative were

Messrs. Blue, Carter, Cuningham, Dickey, Dortch, Gudger, Hampton, Harris, McMillan, Newland Newsom, Respass, Richardson, Scott of New Hanover, Tucker, Whitaker and Woodhouse—17.

Those voting in the negative were

Messrs. Burwell, Clarke, Davidson, Finger, Hanes, Harper, Jenkins, King, Lockhart, Mebane, Oates, Pridgen, Scott of Rockingham, Spears, Spruill, Stowe, Williamson of Davie, Williamson of Edgecombe, Wynne and York—20.

S. B. 351, bill to provide for additional servants for the various State Departments, on its third reading.

The amendments reported by the committee on Propositions and Grievances were adopted.

Mr. York moved to amend: Strike out section 1. Lost.

Mr. Spears moved to amend: Insert in lieu of "one dollar and fifty cents" "one dollar and twenty-five cents." Lost.

Mr. Spruill demanded the previous question, which was sustained.

Mr. Spears demanded the ayes and noes on the passage of the bill, which were ordered, and the bill passed its third reading, ayes 29, noes 7, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dortch, Faison, Finger, Harris, Jenkins, Jones, Lockhart, Mebane, Merritt, Newsom, Parish, Respass, Richardson, Scott of New Hanover, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and Woodhouse—29.

Those voting in the negative were

Messrs. Davidson, Dickey, Manning, Newland, Spears, Williamson of Edgecombe and York—7.

S. B. 674, bill to amend chapter 72, Private Laws of 1876-'77, relative to turnpike roads in Mitchell county, passed its several readings, and was ordered sent to the House without engrossment.

S. B. 743, bill to change the time of holding the superior courts of the counties of Nash and Wilson, in the third judicial district, passed its several readings, and was ordered sent to the House without engrossment.

S. B. 565, bill in relation to fish in Catawba river, was, on motion of Mr. Finger, laid on the table.

S. B. 729, bill to prevent live stock from running at large in a certain portion of Stoney Creek township, in Nash county, passed its third reading, ayes 32, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Cuninghame,

Dickey, Dortch, Eaves, Faison, Finger, Foil, Gudger, Hampton, Harper, Harris, Jenkins, Jones, Manning, Mebane, Merritt, Newsom, Parish, Respass, Richardson, Scott of New Hanover, Spears, Spruill, Tucker, Whitaker, Woodhouse, Wynne and York—32.

On motion of Mr. Battle, the bill was ordered sent to the House without engrossment.

S. R. 635, resolution to our Senators and Representatives in Congress passed its several readings.

S. B. 574, bill to incorporate Olive Branch Lodge, No. 1118, Knights of Honor, passed its several readings, and was ordered sent to the House without engrossment.

H. R. 119, S. R. 645, resolution to investigate the sale and transfer of Cartaret county's stock in the Atlantic and North Carolina Railroad Company, passed its several readings, and was ordered enrolled.

H. B. 593, S. B. 685, bill to prevent the felling of timber in Hunting creek, in Davie county, passed its several readings, and was ordered enrolled.

H. B. 407, S. B. 684, bill for the relief of the sureties of E. H. Wilson, late sheriff of Pitt county, passed its several readings, and was ordered enrolled.

H. B. 690, S. B. 687, bill to prohibit live stock from running at large in Lenoir county, passed its second reading, ayes 33, as follows :

Those voting in the affirmative were

Messrs. Battle, Burwell, Carr, Carter, Clarke, Cuningham, Dickey, Dortch, Eaves, Faison, Foil, Hampton, Hanes, Harper, Harris, Jenkins, Manning, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Woodhouse, Wynne and York—33.

S. R. 736½, resolution of instruction to the Judiciary committee, was taken up and adopted.

H. B. 409, S. B. 630, bill to abolish fences in Wake county, passed its several readings, and was ordered enrolled.

S. B. 84, bill supplemental to an act creating a State Board of Health, on its second reading.

The amendments reported by the committee on Finance were adopted.

Pending consideration,

The hour of half-past two o'clock having arrived, the Senate took recess until half-past seven this evening.

EVENING SESSION.

MARCH 2d, 1881.

The Senate met pursuant to adjournment.

By consent

Mr. Staples introduced

S. R. 749, resolution in favor of J. J. Laney. Placed on the Calendar.

Mr. Battle introduced

S. B. 750, bill to abolish fences in Warren county. Placed on the Calendar.

On motion of Mr. Staples,

S. R. 749, resolution in favor of J. J. Laney, was taken up, passed its several readings, and was ordered sent to the House without engrossment.

Mr. Davidson reported from the committee on Judiciary,

H. R. 116, S. R. 592, resolution on adjournment, reporting a substitute, and recommending the substitute do pass.

On motion of Mr. Davidson, the resolution was taken up, the substitute adopted, passed its several readings, and was ordered engrossed.

Mr. Burwell reported from the committee on Judiciary,

H. B. 357, S. B. 594, bill to extend the time of the fall term

of the Superior Court in Cleaveland county, reporting a substitute, and recommending the substitute do pass.

On motion of Mr. Burwell, the bill was taken up, the substitute was adopted, passed its several readings, and was ordered engrossed.

H. B. 512, S. B. 599, bill to amend chapter 82, Laws of 1879, and chapter 30, Laws of Special Session, 1880, passed its several readings, and was ordered enrolled.

Mr. Manning introduced

S. B. 751, bill to amend chapter 82, Laws of 1879, entitled "an act to keep in repair the public roads of the State." Referred to the committee on Propositions and Grievances.

Indefinite leave of absence was granted Mr. Eaves.

UNFINISHED BUSINESS.

S. B. 84, bill supplemental to an act creating a State Board of Health, was taken up on its second reading, being the unfinished business of this morning.

On the passage of the bill its second reading,

Mr. York asked the ayes and noes, which were ordered, and the bill passed its second reading, ayes 24, noes 16, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Clarke, Dortch, Faison, Finger, Foil, Hanes, Harris, Jones, Manning, Merritt, Oates, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Staples, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe and Woodhouse—24.

Those voting in the negative were

Messrs. Carr, Cuninghame, Dickey, Eaves, Hampton, Jenkins, King, McMillan, Mebane, Newland, Newsom, Pridgen, Spears, Spruill, Stowe and York—16.

The bill then passed its third reading and was ordered engrossed.

SPECIAL ORDER.

H. B. 911, S. B. 740, bill to render more efficient laws regulating the sale of spirituous liquors by the small measure, was taken up on its second reading, it being the special order for this evening.

On motion of Mr. Dortch, the bill was considered by sections.

Section 1 was adopted.

Section 2 was read.

Mr. Williamson of Davie moved to amend: Add after the word "selling" in line 24, the words "such malt liquors." Adopted.

Mr. Scott of Rockingham moved to amend: Strike out line 16 and line 17 to and including the word "there." Adopted.

Mr. Lockhart moved to amend: Insert between the words "qualities" and "less" in line 15, the words "of a quart or." Adopted.

Mr. Respass moved to strike out section 2, on which

Mr. Mebane asked the ayes and noes, which were ordered, and the motion to strike out was lost, ayes 19, noes 27, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carter, Eaves, Hampton, Jenkins, Jones, King, McMillan, Newsom, Parish, Pridgen, Respass, Scott of New Hanover, Spruill, Staples, Whitaker, Williamson of Edgecombe, Woodhouse and York—19.

Those voting in the negative were

Messrs. Battle, Burwell, Carr, Clarke, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Foil, Gudger, Hanes, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Richardson, Scott of Rockingham, Spears, Stowe, Tucker and Williamson of Davie—27.

The section was adopted.

Section 3.

Mr. Spruill moved to amend: Strike out all from and in-

cluding the word "and" in line 19 to end of section. Lost.

Section 3 was adopted.

Section 4 was adopted.

Section 5.

Mr. Williamson of Edgecombe moved to strike out the section. Lost.

The section was adopted.

Sections 6, 7 and 8 were adopted.

Section 9.

Mr. Williamson of Edgecombe moved to amend: Strike out in line 3 the word "shall" and insert "may," on which he asked the ayes and noes, which were ordered, and the amendment was lost, ayes 18, noes 25, as follows:

Those voting in the affirmative were

Messrs. Carter, Clarke, Foil, Hampton, Hanes, Jenkins, Jones, Manning, McMillan, Newsom, Pridgen, Respass, Scott of New Hanover, Spruill, Whitaker, Williamson of Edgecombe, Woodhouse and York—18.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Carr, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Gudger, Harper, Harris, King, Mebane, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Spears, Stowe, Tucker and Williamson of Davie—25.

The section was adopted.

Sections 10, 11 and 12 adopted.

Section 13.

Mr. York moved to strike out the section. Lost.

Sections 13, 14 and 15 were adopted.

Mr. Tucker moved to amend by inserting a new section to be

* "SEC. 16. That it shall be unlawful for any person to be intoxicated and disorderly on any street in any city, town or village, or upon any public highway or other public place in this State. Any person violating the provisions of

this section shall be guilty of a misdemeanor, and upon conviction may be fined or imprisoned at the discretion of the court."

Adopted.

Sections 17, 18, 19 and 20 were adopted.

The bill as a whole being under consideration,

Mr. Merritt moved to amend section 1: Add the following:

"Any person who shall sell liquor without first obtaining a license therefor (as hereinafter provided), shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, at the discretion of the court."

Adopted.

Mr. York moved to amend section 4: Strike out "one hundred dollars," in line 3, and insert "twenty-five dollars;" strike out, in line 5, "five per cent." and insert "two per cent." Lost.

Mr. York moved to amend section 5: Strike out "fifty dollars," in line 3, and insert "ten dollars;" strike out all after the word "State" in line 4. Lost.

Mr. York moved to amend section 6: Strike out "fifty dollars" in line 4, and insert "ten dollars;" strike out "seventy-five dollars," in lines 6 and 7, and insert "twenty-five dollars;" strike out all after the word "State," in line 7, to the end of the section. Lost.

Mr. Williamson of Edgecombe moved to amend: Strike out the words "five per cent." wherever they occur in the bill; on which

Mr. Respass demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 22, noes 19, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carter, Davidson, Foil, Hampton, Jen-

kins, Lockhart, Manning, McMillan, Newland, Newsom, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Whitaker, Williamson of Edgecombe, Woodhouse and York—22.

Those voting in the negative were

Messrs. Battle, Burwell, Carr, Clarke, Cuninghame, Dickey, Dortch, Faison, Finger, Gudger, Hanes, Harper, Harris, Mebane, Merritt, Parish, Spears, Tucker and Williamson of Davie—19.

Mr. Clarke moved to amend section 16, by striking out the words "and disorderly." Lost.

Mr. Dortch moved the further consideration of the bill be postponed until to-morrow at 1 o'clock, P. M.

Mr. Williamson of Edgecombe moved to lay the bill on the table, on which

Mr. Dortch demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 6, noes 35, as follows :

Those voting in the affirmative were

Messrs. Jenkins, Respass, Scott of New Hanover, Spruill, Williamson of Edgecombe and York—6.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Carr, Clarke, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Gudger, Hampton, Hanes, Harper, Harris, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Davie and Woodhouse—35.

The motion to postpone until to-morrow prevailed.

On motion of Mr. Whitaker,

S. B. 745, bill to authorize the board of commissioners of Halifax county to order the payment of certain school orders, was taken up, passed its several readings and was ordered engrossed.

S. B. 660, bill to incorporate the Bank of Craven, on its second reading.

The substitute reported by the committee on Banking and Currency was adopted.

Bill then passed its several readings, and was ordered sent to the House without engrossment.

On motion, the Senate adjourned.

FIFTIETH DAY.

SENATE CHAMBER, March 3d, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented as follows :

By Mr. Carr : Petition of sundry citizens of the State relative to prohibition. Referred to the committee on Prohibition.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary :

By Mr. Williamson of Davie : S. B. 163, bill to amend an act to provide for the better proof of deeds executed beyond this State, ratified the 27th day of February, 1879, reporting a substitute, and recommending the substitute do pass.

From the committee on Salaries and Fees :

By Mr. Jones : S. B. 392, bill to amend section 30, chapter 70, Laws of of 1879, recommending it do pass.

From the committee on Propositions and Grievances :

By Mr. Oates : S. B. 556, bill to amend chapter 168, section 6, Laws of 1879, recommending it do pass.

By Mr. McMillan: S. B. 751, bill to amend chapter 82, Laws of 1879, entitled an act to keep in repair the public roads of the State, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 661, bill to incorporate the Salamander Fire Company of Washington;

S. B. 673, bill to establish and define boundary lines between lands of Albemarle Swamp Land Company and adjacent land owners;

S. B. 697, bill changing the time of making returns to the Secretary of State of entries of vacant public lands by entry takers;

S. B. 569, bill to regulate fishing in Mills river, in Henderson county;

S. B. 534, bill to repeal chapters 109 and 194, of the Acts of 1868-'69;

S. B. 190, bill to extend the time to redeem land sold for taxes;

S. B. 196, bill to amend chapter 41, of the Acts of Special Session of 1880;

S. R. 736, resolution to print one thousand copies of the testimony in relation to the Western North Carolina Railroad Company;

S. B. 562, bill to amend the charter of the town of Statesville;

S. B. 350, bill for the relief of certain disabled Confederate soldiers;

H. B. 359, S. B. 594, bill to extend the time of the fall term of the Superior Court of Cleaveland county;

Senate substitute for H. R. 111, S. R. 592, resolution on adjournment.

Mr. Scott of Rockingham, from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled:

H. B. 181, S. B. 516, an act to incorporate the town of Burnsville in the county of Yancey ;

S. B. 666½, H. B. 713, an act to incorporate the city of Goldsboro in Wayne county ;

S. B. 664, H. B. 859, an act to incorporate the Suffolk Lumber Company ;

S. B. 628, H. B. 578, an act to amend section 4, chapter 80, of the Private Laws of 1879 ;

H. B. 397, S. B. 517, an act to prevent the obstruction of fish in the waters of the Scuppernong river in Tyrrell county ;

H. B. 751, S. B. 632, an act to authorize the board of county commissioners of Perquimans county to levy a special tax ;

H. B. 427, S. B. 521, an act to provide for cotton weighers in the town of Apex, Wake county ;

H. B. 828, S. B. 663, an act to incorporate the Danville, Mocksville and South-western Railroad Company ;

H. B. 533, S. B. 666, an act to work out certain portions of the Marion and Asheville Turnpike Road and for other purposes, and for the employment of convicts on the same ;

H. R. 93, S. R. 601, resolution in relation to the granite column at Cowpens ;

An act to prevent the sale of spirituous liquors within one mile of Trap Hill Academy, in Wilkes county ;

S. B. 539, H. B. 840, an act to prevent live stock from running at large in the counties of Davie and Anson ;

S. B. 496, H. B. 744, an act to prohibit the sale of spirituous and malt liquors within three miles of Conrad Hill Mine, Davidson county ;

S. B. 560, H. B. 852, an act for the completion and support of the several Insane Asylums of the State ;

S. B. 349, H. B. 674, an act in regard to costs in criminal proceedings ;

S. B. 390, H. B. 772, an act to incorporate the French Broad Steamboat Company ;

H. B. 435, S. B. 527, an act to incorporate Clayton Lodge, No. 33, I. O. of G. T.;

An act to incorporate the Cotton and Merchants' Exchange in the town of Goldsboro, Wayne county;

S. B. 528, H. B. 431, an act to change the time of the sittings of the Supreme Court.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Jones: S. B. 753, bill to effect railway communication between Beaufort harbor and Tennessee. Referred to the committee on Corporations.

By Mr. Burwell: S. B. 754, bill to facilitate the transaction of business in the next General Assembly. Placed on the Calendar.

By Mr. Parish: S. B. 755, bill to republish the Reports of the Supreme Court. Referred to the committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 821, S. B. 756, bill to make Trent river a lawful fence to a certain point in Jones county. Referred to the committee on Propositions and Grievances.

H. B. 783, S. B. 757, bill to amend chapter 135, Laws of 1879, relating to live stock running at large in certain counties. Placed on the Calendar.

H. B. 692, S. B. 758, bill to amend chapter 35, Laws of 1879. Referred to the committee on Judiciary.

H. B. 884, S. B. 759, bill to incorporate the town of Keyser in the county of Moore. Referred to the committee on Corporations.

H. B. 788, S. B. 760, bill to authorize the county of Wake to issue bonds. Placed on the Calendar.

H. B. 936, S. B. 761, bill to establish a criminal district of North Carolina. Referred to the committee on Judiciary.

H. R. 113, S. R. 762, resolution in favor of the county of Cabarrus. Referred to the committee on Finance.

H. R. 123, S. R. 763, resolution directing the reprint of "The Woody Plants of North Carolina, by Rev. M. A. Curtis, D. D." Referred to the committee on Agriculture.

H. R. —, S. R. 764, resolution of instruction to our Senators and Representatives in Congress. Referred to the committee on Propositions and Grievances.

H. B. 920, S. B. 765, bill to incorporate the North Carolina Fertilizer Company. Referred to the committee on Corporations.

H. B. 856, S. B. 766, bill to establish a graded school in the town of Durham. Referred to the committee on Education.

House amendment to

S. B. 493, H. B. 855, bill for the protection of farmers and fishermen.

Mr. Scott of New Hanover moved to concur.

Mr. Dortch moved to lay the bill and amendment on the table, on which

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 24, noes 17, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuninghame, Davidson, Dickey, Dortch, Finger, Foil, Hampton, Harper, McMillan, Mebane, Merritt, Newland, Parish, Scott of Rockingham, Spruill, Stowe, Tucker, Whitaker, Williamson of Davie and York—24.

Those voting in the negative were

Messrs. Clarke, Gudger, Hanes, Harris, Jenkins, Jones,

King, Lockhart, Manning, Newsom, Oates, Pridgen, Respass, Scott of New Hanover, Spears, Woodhouse and Wynne—17.

Mr. Dortch moved to reconsider the vote by which

S. B. 690, bill to promote immigration, passed its third reading yesterday,

And moved the consideration of the motion be postponed for the present.

The latter motion prevailed.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 614, bill to authorize the county commissioners of Haywood county to levy a special tax, passed its third reading, ayes 31, noes 1, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Carr, Carter, Cuningham, Dever, Dickey, Dortch, Faison, Foil, Hampton, Hanes, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—31.

In the negative, Mr. Spears—1.

S. B. 617, bill to authorize the county commissioners of Granville county to levy a special tax, passed its third reading, ayes 32, noes 1, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuningham, Dever, Dickey, Dortch, Faison, Finger, Foil, Hampton, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—32.

In the negative, Mr. Spears—1.

H. B. 767, S. B. 679, bill to establish a graded public school in Goldsboro, passed its third reading, ayes 32, noes 1, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Carter, Cuninghame, Dever, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—32.

In the negative, Mr. Spears—1.

H. B. 690, S. B. 687, bill to prohibit live stock from running at large in Lenoir county, passed its third reading, ayes 27, noes 6, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Cuninghame, Dickey, Dortch, Finger, Foil, Hampton, Harper, Jenkins, Jones, Manning, McMillan, Mebane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Stowe, Tucker, Williamson of Davie and York—27.

Those voting in the negative were

Messrs. Clarke, Dever, King, Oates, Spears and Wynne—6.

H. B. 747, S. B. 718, bill to authorize the county commissioners of Harnett county to levy a special tax, passed its third reading, ayes 37, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Dever, Dickey, Dortch, Faison, Finger, Foil, Hampton, Hanes, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Spears, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—37.

H. B. 648, S. B. 717, bill to allow the commissioners of McDowell county to levy a special tax, passed its third reading, ayes 34, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Burwell, Carr, Carter, Cuninghame, Dever,

Dickey, Dortch, Faison, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, King, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—34.

In the negative, Mr. Spears—1.

H. B. 638, S. B. 716, bill to allow the commissioners of Watauga county to levy a special tax, passed its second reading, ayes 33, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Clarke, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Jenkins, Jones, King, Lockhart Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Stowe, Tucker, Woodhouse, Wynne and York—33.

In the negative, Mr. Spears—1.

H. B. 484, S. B. 681, bill to authorize the county commissioners of Greene county to levy a special tax, passed its second reading, ayes 34, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—34.

In the negative, Mr. Spears—1.

S. B. 731, bill to allow certain townships in Pitt county to vote a subscription to build a railroad, passed its second reading, ayes 33, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Clarke, Cuninghame, Dortch, Faison, Finger, Foil, Gudger, Hampton, Hanes, Harper, Harris, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Respass,

Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—33.

In the negative, Mr. Blue—1.

S. B. 219, bill to establish a public road through the State's land and to improve the same.

The substitute reported by the committee on Internal Improvements was adopted.

The bill then passed its several readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 311, S. B. 625, bill to authorize the county commissioners of Dare county to provide for the support of the poor of said county, passed its several readings and was ordered enrolled.

H. B. 707, S. B. 704, bill to appoint cotton weighers for the town of LaGrange in Lenoir county, was, on motion, laid on the table.

H. B. 796, S. B. 706, bill to appoint two additional cotton weighers in the town of Goldsboro, on its second reading.

The substitute reported by the committee on Propositions and Grievances was adopted.

The bill then passed its several readings and the substitute was ordered engrossed.

S. B. 676, bill to encourage the investment in the State of foreign capital, was,

On motion of Mr. Dortch, laid on the table.

S. B. 613, bill for the better protection of persons holding life insurance policies in this State, was, on motion, laid on the table.

S. B. 438, bill to encourage the investment in the State of foreign capital, was, on motion, laid on the table.

H. B. 162, S. B. 510, bill to amend section 1, chapter 40, Laws of 1874-'75, was, on motion, laid on the table.

H. B. 130, S. B. 479, bill for the better security of probate of deeds and other conveyances, was, on motion, laid on the table.

H. B. 163, S. B. 478, bill to regulate official advertising,

on its second reading, passed, and was put upon its third reading.

Mr. King demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 25, noes 14, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Clarke, Cunningham, Davidson, Dickey, Dortch, Faison, Foil, Harper, Harris, Jones, Lockhart, Merritt, Newsom, Parish, Pridgen, Richardson, Spruill, Tucker, Whitaker and Williamson of Davie—25.

Those voting in the negative were

Messrs. Bernard, Finger, Hampton, King, Manning, McMillan, Newland, Respass, Scott of Rockingham, Spears, Stowe, Woodhouse, Wynne and York—14.

H. B. 666, S. B. 648, bill to prevent the felling of timber in Falling creek in Lenoir county, passed its several readings and was ordered enrolled.

H. B. 476, S. B. 711, bill to amend chapter 34, Laws of 1880, by permitting the citizens of Harnett county to remove existing obstructions in the Cape Fear river, passed its several readings and was ordered enrolled.

H. B. 601, S. B. 600, bill to authorize the commissioners of Pender county to levy a special tax to build a courthouse and jail, passed its second reading, ayes 27, noes 2, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Clarke, Cunningham, Dever, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harris, Manning, McMillan, Mebane, Merritt, Oates, Parish, Respass, Richardson, Stowe, Tucker, Williamson of Davie and Woodhouse—27.

In the negative, Messrs. Scott of New Hanover and Spears—2.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment,

H. B. 643, S. B. 767, bill to provide for the levying and collection of taxes.

On motion of Mr. Dortch, the bill was taken up; and on his further motion, it was postponed until to-morrow at 11 o'clock A. M., and made the special order for that hour.

Also, without engrossment,

H. B. 898, S. B. 768, bill concerning representation in the Senate. Placed on the Calendar.

SPECIAL ORDER.

S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the North Carolina Railroad and other roads in this State, was taken up on its second reading, it being the special order for this hour.

The amendments reported by the committee on Internal Improvements were read:

Mr. Davidson moved to amend the amendment:

Strike out all down to and including the word "railroad" in line 10 of the amendment, and insert: "*Provided*, That nothing contained in this act shall have the force or effect to modify, repeal or in any way change any of the provisions of chapter 26, Laws of Extra Session of 1880, ratified March 29th, 1880, entitled 'an act to provide for the sale of the State's interest in the Western North Carolina Railroad,' nor to affect in any manner whatever the contract made in pursuance thereof with W. J. Best and his associates; nor to relieve any assignee thereof, whether individual or corporate, from the obligation therein provided to complete the said Western North Carolina Railroad to Paint Rock and Ducktown: *And, provided further*, That

nothing in this act contained shall be construed to authorize the said Western North Carolina Railroad Company, or any person or persons or corporation controlling its property or franchises, to contract any debt or incur any liability whereby the liens and securities provided for the State of North Carolina by virtue of the said act of the 29th of March, 1880, and the said contract made in pursuance thereto, may be lost or impaired."

Adopted.

Thus amended, the amendment of the committee was adopted.

Mr. Scott of Rockingham moved to amend:

Strike out in section 1, the words "or any other railroad in this State with which the said Piedmont Railroad has or may have an interchange of traffic, or of any part or branch of any such railroad."

Adopted.

Mr. Clarke moved to amend:

"*Provided however*, That said Piedmont Railroad Company shall build the road to Ducktown, and they hereby bind themselves thereto. And if said Piedmont Railroad Company shall fail to build said road to Ducktown within ten years, they or their assignees shall forfeit all their right, title and interest in and to the North-Western North Carolina Railroad, or any part thereof, to the State of North Carolina."

Lost.

Mr. Burwell moved to amend: Insert after the word "Railroad," in line 4, the words "or the University Railroad." Adopted.

Mr. Whitaker offered a substitute for the bill.

Mr. Clarke moved to amend: Strike out "Piedmont Railroad Company" wherever it occurs, and insert "Richmond and Danville Railroad Company," on which he demanded the ayes and noes.

Mr. Clarke moved to postpone the further consideration of the bill until this evening at 8 o'clock.

Mr. York demanded the previous question, which was not sustained.

The motion to postpone prevailed.

The hour of half-past two o'clock having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 3d, 1881.

The Senate met pursuant to adjournment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House amendment to

S. R. 618, H. R. 129, resolution to pay the employees of the General Assembly.

On motion, the amendment was concurred in, and the resolution was ordered enrolled.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 91, bill to amend rule 15*a*, section 20, chapter 63, Battle's Revisal, was, on motion, laid on the table.

S. B. 109, bill to amend section 1, chapter 183, Acts of 1879, was, on motion, laid on the table.

S. B. 163, bill to provide for the better proof of deeds executed beyond this State, ratified the 27th day of February, 1879, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings, and was ordered engrossed.

H. B. 735, S. B. 705, bill to incorporate the Beaver Dam Drainage Company of Sampson county, on its second reading.

The amendment reported by the committee on corporations was adopted.

Bill then passed its several readings, and the amendment was ordered engrossed.

S. B. 242, bill to exempt all graduates of medicine or surgery from the provisions of chapter 258, Laws of 1858-'9, and chapter 117; Laws of 1879, on its second reading.

Mr. Gudger moved to amend :

Insert, "any and all physicians must have a diploma from some chartered medical college in the United States of America before he can collect his fees at law as a physician."

Mr. Battle moved to lay the bill on the table, which prevailed.

SPECIAL ORDER.

S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the North-western North Carolina Railroad and other roads in this State, was taken up, it being the special order for this hour.

The question was on the demand of Mr. Clarke for the ayes and noes on his amendment.

The demand was not sustained.

Mr. Clarke's amendment was lost.

Upon the substitute offered by Mr. Whitaker,

The President ruled it was not germane to the subject under consideration, and the substitute was withdrawn.

On the passage of the bill its second reading,

Mr. Clarke demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 25, noes 14, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carr, Carter, Cunningham, Davidson, Dever, Faison, Finger, Gudger, Hampton, Harper, Harris, King, Mebane, Merritt, Newland, Newsom, Parish, Respass, Staples, Stowe, Tucker and York—25.

Those voting in the negative were

Messrs. Blue, Clarke, Foil, Glenn, Jenkins, Jones, Manning, Oates, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Whitaker and Williamson of Edgecombe—14.

On motion of Mr. Staples, the bill was put on its third reading.

Mr. Staples demanded the previous question, which was sustained.

The bill passed its third reading and was ordered engrossed.

Mr. Staples moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

By consent,

Mr. Harper reported from the committee on Agriculture, Mechanics and Mining:

S. B. 746, bill to repeal section 2, chapter 50, Laws of 1879, recommending it do pass.

H. R. 123, S. R. 763, resolution directing the reprint of "The Woody Plants of North Carolina, by Rev. M. A. Curtis, D. D.," recommending it do pass.

By consent,

Mr. Scott of New Hanover introduced

S. R. 769, resolution of instruction to the committee on Privileges and Elections.

On motion of Mr. Scott of New Hanover, the rules were suspended and the resolution taken up.

Mr. Staples moved to lay the resolution on the table.

Mr. Battle demanded the previous question, which was sustained.

The motion to table prevailed.

Messrs. Pridgen and Wynne were announced absent on account of sickness.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting engrossed

H. B. 776, S. B. 770, bill to equalize the compensation of judges of the superior courts. Placed on the Calendar.

The Calendar was resumed.

H. R. 121, S. R. 741, resolution in favor of the Caldwell and Watauga Turnpike Company, passed its several readings and was ordered enrolled.

Mr. Respass moved to suspend the rules and take up

S. R. 699, resolution in regard to the Atlantic and North Carolina Railroad. The motion to suspend the rules prevailed.

Mr. Respass moved to postpone the bill until to-morrow at 11 o'clock A. M. and make it the special order for that hour.

Pending consideration, the Senate adjourned.

FIFTY-FIRST DAY.

SENATE CHAMBER, March 4th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was approved.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Corporations :

By Mr. Lockhart : H. B. 153, S. B. 732, bill to authorize the State Treasurer to exchange the stock of the State in the Albemarle and Chesapeake Canal Company for the bonds of the State, without recommendation.

From the committee on Education :

By Mr. Merritt : H. B. 536, S. B. 766, bill to establish a graded school in the town of Durham, recommending it do pass.

From the committee on Propositions and Grievances :

By Mr. Jones : H. B. 753, S. B. 738, bill to amend chapter 118, Battle's Revisal, recommending it do pass.

From the committee on Privileges and Elections :

By Mr. Respass : S. R. 271, resolution to allow the citizens of Mitchell county to elect their justices of the peace and county commissioners as other officers are elected, reporting it back without prejudice.

From the committee on Corporations :

By Mr. Tucker : H. B. 920, S. B. 765, bill to incorporate the North Carolina Fertilizer Company, recommending it do pass.

The committee on Engrossed bills reported as properly engrossed

S. B. 755, bill to authorize the board of commissioners of Halifax to order payment of certain school orders ;

S. B. 547, bill to amend Acts of 1879, chapter 138, in relation to the settlement of part of the State debt ;

S. B. 84, bill supplemental to an act creating the State Board of Health ;

S. B. 473, bill to amend section 15 of chapter 90 of Battle's Revisal ;

S. B. 617, bill to authorize the board of county commissioners of Granville county to levy a special tax ;

S. B. 184, bill to authorize the Piedmont Railroad Company to extend aid to the North-western North Carolina Railroad and other roads in the State ;

S. B. 614, bill to authorize the county commissioners of Haywood county to levy a special tax ;

H. B. 796, S. B. 706, Senate amendment to bill to appoint two additional cotton weighers in the town of Goldsboro ;

H. B. 735, S. B. 705, Senate amendment to bill to incorporate the Beaver Dam Drainage Company of Sampson county ;

H. B. 224, S. B. 286, Senate amendment to bill giving aid to the North Carolina Industrial Association ;

S. B. 163, bill to amend an act to provide for the better proof of deeds executed beyond this State, ratified the 27th day of February, 1879 ;

S. B. 532, H. B. 950, an act amendatory of and supplemental to an act passed by the General Assembly of North Carolina at its present session, entitled an act to provide for the erection of a hospital in the city of Wilmington ;

S. B. 337, H. B. —, an act to regulate fishing in the waters of Pamlico and Tar rivers ;

S. B. 483, H. B. 841, an act to amend an act to establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of Sheep Husbandry.

On motion of Mr. Cuninghame,

H. R. 788, S. B. 760, bill to authorize the commissioners

of Wake to issue bonds, was taken up and passed its second reading, ayes 27, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Burwell, Carr, Cuninghame, Dever, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Jenkins, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Parish, Pridgen, Richardson, Scott of Rockingham, Staples, Williamson of Davie, Woodhouse and York—27.

In the negative, Messrs. King and Spears—2.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows :

S. B. 731, bill to enable certain townships in Pitt county to vote a subscription to build a railroad, passed its third reading, ayes 29, as follows :

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carter, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Hampton, Harper, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Parish, Pridgen, Richardson, Scott of Rockingham, Williamson of Davie, Woodhouse and York—29.

On motion of Mr. Bernard, the bill was ordered sent to the House without engrossment.

H. B. 147, S. B. 248, bill to amend section 1, chapter 195, Laws of 1874-'75, known as an act for the protection of birds in certain counties, on its second reading.

Mr. Burwell moved to amend :

“Provided, This act shall not apply to the counties of Mecklenburg, Orange and Person.”

Adopted.

Mr. Williamson of Edgecombe moved to amend :

"This act shall not apply to Edgecombe county."

Adopted.

Mr. Whitaker moved to amend :

"This act shall not apply to the county of Halifax."

Adopted.

Mr. Davidson moved to amend : Add at the end of sec. 1 of said chapter 195 : "This act shall include the county of Buncombe, except that the 'close' season therein shall extend from the first day of April to the tenth day of October in each year."

Adopted.

The bill then passed its several readings and was ordered engrossed.

H. B. 601, S. B. 600, bill to authorize the commissioners of Pender county to levy a special tax to build a court-house and jail, on its third reading.

On motion of Mr. Scott of New Hanover, the bill was postponed until Saturday, 5th inst., and made the special order for 11 o'clock A. M. of that day.

H. B. 484, S. B. 681; bill to authorize the county commissioners of Greene county to levy a special tax, passed its third reading, ayes 31, noes 1, as follows :

Those voting in the affirmative were

Messrs. Blue, Cuninghame, Dickey, Dortch, Faison, Finger, Foil, Gudger, Hampton, Harper, Harris, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newsom, Parish, Pridgen, Richardson, Scott of Rockingham, Stowe, Tucker, Whitaker, Williamson of Davie, Woodhouse, Wynne and York—31.

In the negative, Mr. Spears—1.

On motion of Mr. Tucker.

H. B. 911, S. B. 740, bill to render more efficient laws reg-

ulating the sale of spirituous liquor by the small measure, was taken up on its second reading, and passed, ayes 22, noes 21, as follows :

Those voting in the affirmative were

Messrs. Blue, Burwell, Carr, Cuningham, Davidson, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hanes, Harper, Harris, Lockhart, Merritt, Newland, Scott of Rockingham, Spears, Stowe, Tucker and Williamson of Davie—22.

Those voting in the negative were

Messrs. Carter, Clarke, Foil, Hampton, Jenkins, Jones, King, Manning, McMillan, Mebane, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spruill, Whitaker, Williamson of Edgecombe, Woodhouse and York—21.

On motion of Mr. Tucker, the bill was taken up on its third reading, and on his further motion, it was postponed until Saturday, 5th inst., at 12 M., and made the special order for that hour.

H. B. 638, S. B. 716, bill to allow the commissioners of Watauga county to levy a special tax, passed its third reading, ayes 33, noes 1, as follows :

Those voting in the affirmative were

Messrs. Blue, Burwell, Carter, Clarke, Cuningham, Davidson, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hampton, Hanes, Harper, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Parish, Pridgen, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—33.

In the negative, Mr. Spears—1.

By consent,

Mr. Williamson of Edgecombe introduced, by request, S. B. 771, bill to incorporate the town of Princeville, in the county of Edgecombe. Referred to the committee on Corporations.

Mr. Glenn introduced

S. B. 772, bill to validate certain sales. Referred to the committee on Judiciary.

S. B. 751, bill to amend chapter 82, Laws of 1879, entitled an act to keep in repair the public roads of the State, was taken up on its second reading.

On motion of Mr. Burwell, the bill was postponed until half-past seven o'clock this evening, and made the special order for that hour.

H. B. 776, S. B. 770, bill to equalize the compensation of Judges of the Superior Courts, passed its several readings and was ordered enrolled.

S. B. 433, bill to authorize guardians and trustees to invest in State bonds was, on motion, laid on the table.

SPECIAL ORDER.

H. B. 643, S. B. 767, bill to provide for levying and collecting of taxes, was taken up on its second reading, it being the special order for this hour.

The bill passed its second reading.

On motion, it was ordered printed.

H. B. 856, S. B. 766, bill to establish a graded school in the town of Durham, passed its second reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Carr, Cuninghame, Dickey, Dortch, Finger, Foil, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, King, Manning, McMillan, Mebane, Merritt, Newland, Parish, Pridgen, Respass, Scott of Rockingham, Spears, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—31.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 660, S. B. 773, bill for the support of the Penitentiary. Referred to the committee on Penal Institutions.

H. B. 665, S. B. 774, bill for the protection of sheep husbandry in the county of Dare. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 671, S. B. 775, bill to amend the charter of the town of Mount Olive, in the county of Wayne. Referred to the committee on Corporations.

H. B. 580, S. B. 776, bill to appoint cotton weighers for the town of Shelby, and to give the Aldermen power to tax drays and livery stables. Referred to the committee on Propositions and Grievances.

Also, without engrossment,

H. B. 523, S. B. 780, bill to protect laborers and mechanics employed, and persons injured in person or property by railroad companies. Referred to the committee on Judiciary.

Also, a message requesting the return to the House of

H. B. 898, S. B. —, bill relative to the Senatorial apportionment. It was ordered returned.

Mr. Respass moved to take from the table engrossed House amendment to

S. B. 493, H. B. 855, bill for the protection of farmers and fishermen. The motion prevailed.

Question recurring upon concurrence in the House amendment,

Mr. Merritt moved the Senate do not concur. Lost.

Mr. Respass moved the Senate do concur in the amendment, which prevailed.

The bill was then ordered enrolled.

The motion pending to reconsider the vote by which

H. B. 224, S. B. 286, bill giving aid to the North Carolina Industrial Association, failed to pass its second reading, was taken up and prevailed.

Question recurring upon the passage of the bill its second reading,

Mr. Williamson of Edgecombe moved to amend in the nature of a substitute for the amendment offered by Mr. Burwell and adopted, as follows: Strike out in section 2 the words "out of any moneys not otherwise appropriated, the sum of six hundred dollars," and insert, "out of the amount appropriated to the North Carolina Agricultural Society, the sum of five hundred dollars."

Mr. Dortch moved to refer the bill to the committee on Corporations. Lost.

Upon the adoption of the amendment offered by Mr. Williamson of Edgecombe,

Mr. Lockhart asked for the ayes and noes, which were ordered, and the amendment was adopted, ayes 31, noes 8, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carter, Clarke, Cuningham, Davidson, Dortch, Faison, Foil, Glenn, Hampton, Hanes, Jenkins, Jones, King, Manning, McMillan, Mebane, Newsom, Pridgen, Richardson, Scott of New Hanover, Spears, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse, Wynne and York—31.

Those voting in the negative were

Messrs. Blue, Burwell, Finger, Lockhart, Merritt, Newland, Parish and Scott of Rockingham—8.

Mr. Scott of Rockingham moved to amend: Strike out "five hundred" and insert "four hundred." Lost.

Bill passed its second reading and was put upon its third reading.

On the passage of the bill its third reading,

Mr. Dortch demanded the ayes and noes, which were ordered, and the bill passed, ayes 22, noes 13, as follows:

Those voting in the affirmative were

Messrs. Clarke, Cuningham, Foil, Glenn, Gudger, Hanes, King, Manning, Mebane, Newsom, Pridgen, Richardson, Scott of New Hanover, Spears, Staples, Stowe, Tucker,

Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and Wynne—22.

Those voting in the negative were

Messrs. Blue, Burwell, Dickey, Dortch, Finger, Hampton, Harper, Jones, Lockhart, Newland, Respass, Scott of Rockingham and York—13.

When the name of Mr. Merritt was called, he stated he was paired with the Senator from Buncombe, Mr. Davidson: if he were present, he would vote against and Mr. Davidson for the bill.

By consent,

Mr. Richardson introduced

S. R. 777, resolution in favor of Alfred Williams & Co.

On his motion, the rules were suspended, the resolution taken up and adopted, and ordered to be sent to the House of Representatives without engrossment.

The Calendar was resumed.

H. B. 763, S. B. 682, bill to incorporate Rising Sun Lodge of the Independent Order of Immaculates, passed its several readings and was ordered enrolled.

H. R. 123, S. R. 763, resolution directing the reprint of "The Woody Plants of North Carolina by Rev. M. A. Curtis, D. D.," on its second reading.

Mr. Merritt moved to amend:

Insert: "That such pamphlet shall be revised by the State Geologist, who is authorized to make such additions thereto as he may deem necessary."

Adopted.

On motion, the resolution was laid on the table

H. B. 207, S. B. 362, bill to amend chapter 30, Laws of 1880, entitled an act to amend chapter 82, Laws of 1879, entitled an act to provide for keeping in repair the public roads of this State, passed its several readings, and was ordered enrolled.

H. B. 59, S. B. 424, bill to pay Louis Hilliard and Thomas J. Wilson for services as Judges of the Superior Courts.

Question recurring upon the motion to reconsider the vote by which the bill failed to pass its third reading, the motion prevailed.

On the passage of the bill its third reading,

Mr. Lockhart demanded the ayes and noes, which were ordered, and the bill passed, ayes 23, noes 16, as follows:

Those voting in the affirmative were

Messrs. Carr, Clarke, Dortch, Faison, Finger, Glenn, Hampton, Hanes, Harris, King, Merritt, Newsom, Pridgen, Respass, Richardson, Scott of New Hanover, Spears, Staples, Whitaker, Williamson of Davie, Williamson of Edgecombe, Woodhouse and Wynne—23.

Those voting in the negative were

Messrs. Blue, Burwell, Cuninghame, Dickey, Foil, Gudger, Harper, Jones, Lockhart, Manning, McMillan, Mebane, Newland, Spruill, Tucker and York—16.

Mr. Glenn moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 746, bill to repeal section 2, chapter 50, Laws of 1879, passed its several readings, and was ordered engrossed.

S. B. 721, bill to appoint two cotton weighers for the town of Washington, in Beaufort county, passed its several readings, and was ordered engrossed.

H. B. 644, S. B. 518, bill to provide for the better working of public roads in the county of Ashe, was, on motion, laid on the table.

H. B. 199, S. B. 551, bill to amend section 3, chapter 241, Laws of 1876-'77, respecting service by publication, was, on motion, laid on the table.

S. B. 675, bill to prevent persons who fence up their lands under any stock law in this State from turning cattle on

live stock on the lands of other persons, on its second reading.

Mr. Spears moved to amend: Insert the word "all" between the words "fence" and "their," in line 3, of section 1.

Mr. Faison offered the following substitute for the bill:

"That all persons in this State shall be required to keep his or her stock enclosed upon his or her own land."

Mr. York demanded the previous question, which was sustained.

Mr. Spears' amendment was lost.

Mr. Faison's substitute was lost.

The bill then passed its several readings, and was ordered engrossed.

Mr. Gudger moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 726, bill to incorporate the Sons and Daughters of Charity Benevolent Society of New Hanover county, passed its several readings, and was ordered engrossed.

S. B. 405, bill to allow married women and widows to vote for the prohibition of spirituous liquors, was, on motion, laid on the table.

S. B. 276, bill to encourage and protect the investment of capital for mining purposes, was, on motion, laid on the table.

S. B. 311, bill to give Rutherford two weeks of Superior Court, was on motion, laid on the table.

S. B. 366, bill concerning the State's interest in swamp lands to place them on the market, &c., was, on motion, laid on the table.

By consent,

Mr. Battle introduced

S. B. 778, bill for the relief of the night watchman of the State House. Placed on the Calendar.

The Calendar was resumed.

S. B. 374, bill to amend chapter 115, Laws of 1874-'75, was, on motion, laid on the table.

S. B. 428, bill to prevent the whipping of convicts, was, on motion, laid on the table.

S. B. 371, bill to amend the landlord and tenant act, on its second reading.

The substitute reported by the committee on Judiciary was adopted.

Bill then passed its several readings and was ordered sent to the House of Representatives without engrossment.

S. B. 434, bill to incorporate the Newbern Cotton and Grain Exchange, was, on motion, laid on the table.

S. B. 407, bill to establish and provide for organizing the county of Coharie from parts of the counties of Johnston, Wayne and Sampson, was, on motion, laid on the table.

S. B. 421, bill for the restoration of persons convicted of felony to the rights of citizenship, was, on motion, laid on the table.

S. B. 442, bill to amend an act incorporating the Medical Association of North Carolina, was, on motion, laid on the table.

S. B. 456, bill for raising revenue by taxing dogs, was, on motion, laid on the table.

By consent,

Mr. Richardson introduced

S. R. 779, resolution of instruction to the Secretary of State in regard to captions, &c., of Laws, &c.

On motion of Mr. Richardson, the resolution was taken up, adopted, and ordered to be sent to the House of Representatives without engrossment.

The Calendar was resumed.

S. B. 484, bill to protect the fishing interests of Albemarle

Sound, passed its several readings and was ordered engrossed.

S. B. 461, bill to amend chapter 82, Laws of 1879, entitled "an act to provide for keeping in repair the public roads of the State," so as to allow compensation for working the roads, was, on motion, laid on the table.

S. B. 469, bill to prevent fraud by insolvent debtors in making assignments of their property, was, on motion, laid on the table.

S. B. 476, bill to create a new township out of portions of Dallas and Cherryville townships in Gaston county, was, on motion, laid on the table.

S. B. 591, bill to prevent felling timber in Nantihali river in Clay and Macon counties, passed its several readings and was ordered engrossed.

S. B. 487, bill to amend chapter 85, Private Laws of 1872-'73, was, on motion, laid on the table.

S. B. 489, bill to amend the public road law, was, on motion, laid on the table.

S. B. 490, bill to amend chapter 17, Battle's Revisal, was, on motion, laid on the table.

S. B. 471, bill for the relief of the sureties of D. A. Walford, late sheriff of Bertie county, passed its several readings and was ordered engrossed.

S. B. 590, bill to prevent the felling of timber in Hiwassee river in Clay and Cherokee counties, passed its several readings and was ordered engrossed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting engrossed House amendments to

S. B. 459, H. B. 931, bill to revise and consolidate the public school laws of this State. Placed on the Calendar.

The hour of half-past two o'clock having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 4th, 1881.

The Senate met pursuant to adjournment.

Mr. Harris was announced absent on account of sickness.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 603, bill to protect the rice lands on Eagle Island, was, on motion, laid on the table.

S. B. 584, bill ratifying an election in the town of Elizabeth City, was, on motion, laid on the table.

S. B. 559, bill to levy a special tax in Brunswick county for the benefit of the common school fund in said county, was, on motion, laid on the table.

S. B. 558, bill in relation to costs in the Supreme Court, was, on motion, laid on the table.

S. B. 545, bill to protect inebriates, was, on motion, laid on the table.

S. B. 540, bill to repeal so much of chapter 83, Laws of 1866-'67, as declares Tar river a lawful fence where the same flows against and by the lands of certain persons in Edgecombe county, was, on motion, laid on the table.

S. B. 607, bill to provide for the removal of causes in courts of probate, was, on motion, laid on the table.

S. B. 537, bill to prohibit the sale of intoxicating liquors within one mile of any church or public school-house in North Carolina, was, on motion, laid on the table.

S. B. 533, bill for the relief of the sureties of D. A. Walford, late sheriff of Bertie county, was, on motion, laid on the table.

By consent,

Mr. Oates reported from the committee on Claims, H. B. 867, S. B. 715, bill requiring the county commissioners of Wake to pay Mrs. Osborne \$175.50 for feeding a jury of Wake county, recommending it do pass.

The Calendar was resumed.

S. B. 608, bill to provide for the sale of the State's interest in the A. and N. C. R. R. Co., was, on motion of Mr. King, laid on the table.

S. B. 609, bill to amend chapter 272, Laws of 1876-'77, in regard to the State Guard, was, on motion, laid on the table.

S. B. 619, bill for the relief of B. F. Bullock, late sheriff of Granville county, was, on motion, laid on the table.

S. B. 604, bill to appropriate five hundred dollars to the colored Roanoke Institute at Weldon, N. C., was, on motion, laid on the table.

S. B. 662, bill to insure fair play to the voters of the city of Wilmington, was, on motion, laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 969, S. B. 781, bill to supply the North Carolina Insane Asylum with pure water.

On motion of Mr. York, the rules were suspended, the bill taken up, passed its several readings, and was ordered enrolled.

Also, announcing the concurrence by that honorable body in the Senate amendments to

H. B. 357, S. B. 494, bill to extend the time of the fall term of the superior court of Cleaveland and Rutherford county.

The Calendar was resumed.

H. B. 699, S. B. 680, bill to keep the channels of Haw river and other streams in Guilford county free from fall-

ing timbers and driftwood, passed its several readings and was ordered enrolled.

H. B. 813, S. B. 701, bill to charter the Bank of Kinston, passed its several readings and was ordered enrolled.

S. B. 589, bill for the relief of jurors in Polk county, passed its several readings and was ordered engrossed.

S. B. 556, bill to amend chapter 168, section 6, Laws of 1879, passed its several readings, and was ordered sent to the House without engrossment.

S. B. 544, bill to authorize the chairman of the board of county commissioners of Onslow county to sign certain orders on the treasurer of said county, passed its several readings and was ordered engrossed.

S. B. 543, bill to prevent the felling of timber or other obstructions in South Fork creek in Forsyth and Davidson counties and for other purposes, passed its several readings and was ordered engrossed.

S. B. 750, bill to abolish fences in Warren county, passed its several readings, and was ordered sent to the House without engrossment.

S. B. 536, bill to extend the provisions of chapter 138, Laws of 1873-'74, to counties in the matter of the sale of intoxicating liquors, on its second reading, passed, and was put upon its third reading.

Mr. Stowe moved to amend: Strike out the word "vinous" wherever it occurs. Adopted.

The bill then passed its third reading and was ordered engrossed.

H. B. 542, S. B. 707, bill to allow mileage to the sheriff of Carteret county, was, on motion, laid on the table.

S. B. 610, bill to amend section 9, chapter 7, Battle's Revisal, passed its several readings and was ordered sent to the House without engrossment.

S. R. 694, resolution on adjournment, was, on motion, laid on the table.

S. R. 611, resolution of sympathy for Ireland, was adopted and ordered sent to the House without engrossment.

S. B. 696, bill to authorize the commissioners of Brunswick county to levy and collect a special tax, passed its second reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Cuningham, Davidson, Dickey, Dortch, Faison, Finger, Foil, Glenn, Hampton, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Richardson, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Woodhouse and York—30.

S. B. 535, bill to change the laws of evidence relating to the sale of spirituous and malt liquors, was, on motion, laid on the table.

H. B. 785, S. B. 653, bill to protect fish in Lumber river in the counties of Columbus and Robeson, passed its several readings and was ordered enrolled.

S. B. 605, bill to incorporate Freedman's Chapel in Randolph county, passed its several readings and was ordered sent to the House without engrossment.

S. B. 606, bill to amend the charter of the town of Trinity in Randolph county, passed its second reading, ayes 28, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Cuningham, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Jenkins, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Oates, Parish, Richardson, Scott of Rockingham, Staples, Tucker, Whitaker, Woodhouse and York—28.

In the negative, Mr. Newland—1.

S. B. 612, bill to prevent felling of timber in Valley river and Notalee river, passed its several readings and was ordered engrossed.

S. R. 615, resolution in favor of witnesses on the part of the State in the case of the State *versus* G. W. Swepson, was, on motion, laid on the table.

S. B. 636, bill to amend the act of 1879, concerning the public roads, was, on motion, laid on the table.

S. B. 655½, bill to designate the holidays to be observed and dates when papers will be due, passed its second reading and was put upon its third reading.

Mr. Whitaker moved to table. Lost.

The bill passed its third reading and was ordered engrossed.

S. R. 695, resolution requesting the Governor of North Carolina to correspond with the Governor of South Carolina in regard to establishing a line fence between said States in certain counties, was adopted and ordered engrossed.

S. B. 658, bill to amend section 15, chapter 90, Battle's Revisal, passed its second reading and was put upon its third reading.

On motion, the bill was ordered laid on the table.

S. B. 637, bill to amend chapter 3, section 1, Laws of 1879, entitled an act to amend chapter 102, Laws of 1876-'77, on its second reading.

The substitute reported by the committee on Propositions and Grievances was adopted.

The bill then passed its several readings and was ordered engrossed.

S. R. 639, resolution of instruction to the joint committee on the Appointment of Magistrates, on its second reading.

Mr. Battle moved to lay the bill on the table, on which

Mr. Glenn demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 26, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue Burwell, Clarke, Cuninghame, Finger, Foil, Gudger, Hampton, Harper, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Newland, Richardson, Scott of Rockingham, Spruill, Stowe, Williamson of Davie, Williamson of Edgecombe, Woodhouse and York—26.

Those voting in the negative were

Messrs. Davidson, Dickey, Faison, Glenn, Merritt, Oates, Parish, Staples, Tucker and Whitaker—10.

S. B. 668 $\frac{1}{2}$, bill in relation to the erection of a Governor's residence, on its second reading.

Mr. Harper moved to lay the bill on the table. Lost.

On the passage of the bill its second reading,

Mr. King demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading, ayes 9, noes 26, as follows :

Those voting in the affirmative were

Messrs. Battle, Davidson, Dortch, Finger, Gudger, Jones, Spruill, Staples and Whitaker—9.

Those voting in the negative were

Messrs. Blue, Burwell, Clarke, Cuningham, Dickey, Faison, Foil, Glenn, Hampton, Harper, Jenkins, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie and York—26.

Mr. Stowe moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table. The latter motion prevailed.

S. R. 271, resolution to allow the citizens of Mitchell county to elect their justices of the peace and county commissioners as other officers are elected, was, on motion, laid on the table.

S. B. 727, bill to amend the charter of the town of Jacksonville, in the county of Onslow, being chapter 11, of Private Laws of 1866, passed its second reading, ayes 30, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carter, Cuningham, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Jenkins, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Oates, Parish, Richardson, Spruill, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse and York—30.

In the negative, Mr. King—1.

S. R. 737, resolution to allow Andrew Jackson, a contestant, per diem and mileage, was, on motion, laid on the table.

S. B. 423, bill to incorporate the North Carolina Pharmaceutical Association, on its second reading. ✓

The substitute reported by the committee on Corporations was read.

Mr. York moved to amend :

Add, "*Provided*, This bill shall only apply to towns and cities of over one thousand inhabitants."

Adopted.

Mr. King moved to amend :

"This act shall not apply to the towns of Kinston and LaGrange, in Lenoir county, and the towns of Hookerton and Snow Hill in Greene."

Lost.

Mr. Dortch demanded the previous question, which was sustained.

The substitute, as amended, was adopted.

The bill then passed its second reading, and was put upon its third reading.

Mr. Williamson of Davie moved to amend: Strike out "one thousand" and insert "five hundred."

Mr. Dortch demanded the previous question, which was sustained.

Mr. King asked a division of the question.

The motion to "strike out" prevailed.

The motion to insert "five hundred" was adopted.

On the passage of the bill its third reading,

Mr. King demanded the ayes and noes, which were ordered, and the bill passed, ayes 19, noes 15, as follows :

Those voting in the affirmative were :

Messrs. Battle, Burwell, Cuningham, Dickey, Dortch, Faison, Finger, Harper, Jones, Manning, Mebane, Merritt, Parish, Richardson, Spruill, Staples, Tucker, Williamson of Davie and Woodhouse—19.

Those voting in the negative were

Messrs. Blue, Carr, Davidson, Foil, Glenn, Hampton, King, Lockhart, McMillan, Oates, Scott of Rockingham, Stowe, Whitaker, Williamson of Edgecombe and York—15.

Mr. Mebane moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion, the Senate adjourned.

FIFTY-SECOND DAY.

SENATE CHAMBER, March 5th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Williamson of Davie until Monday; Messrs. Faison and Richardson until Tuesday; Messrs. Burwell and Jenkins indefinitely on account of sickness in their families.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Richardson: Petition from Mount Pisgah Baptist church asking for the passage of a law prohibiting the sale

of liquors within five miles of said church. Placed on the Calendar.

By Mr. Hampton: Petition of citizens of Surry county relative to prohibition. Referred to the committee on Prohibition.

By Mr. Hanes: Petition for the appointment of certain persons as justices of the peace in the county of Davidson. Referred to the committee on Justices of the Peace.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Battle, S. B. 457, bill in relation to the public roads of Cabarrus county, recommending it do not pass.

From the committee on Claims:

By Mr. Jenkins: H. B. 102, S. B. 378, bill to authorize the board of commissioners of Halifax county to pay certain school claims, recommending it do pass.

From the committee on Penal Institutions:

By Mr. Whitaker: H. B. 660, S. B. 773, bill for the support of the Penitentiary, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Battle: H. B. 733, S. B. 665, bill to secure the better drainage of the low lands of South river, Big swamp, Little Coharrie, Bear Skin and Big Coharrie rivers in Sampson county and their tributaries, recommending it do pass.

Mr. Parish, from committee of conference to consider Senate amendment to

H. B. 22, S. B. 157, bill to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river in Plymouth, N. C., submitted a report, recommending "that section 3 and the amendment thereto be stricken out," and with this amendment the bill do pass.

The report of the committee was adopted.

The committee on Engrossed Bills reported as properly engrossed

H. B. 147, S. B. 248, Senate amendment to a bill to amend section 5, chapter 195, Laws of 1874-'75, known as an act for the protection of birds in certain counties.

Mr. Carr, from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled ;

S. R. 618, H. B. 129, resolution to pay the employees of the General Assembly ;

H. B. 282, S. B. 348, an act to amend chapter 116, Battle's Revisal ;

H. B. 306, S. B. 503, an act to amend chapter 41, section 10, lines 3 and 4, Battle's Revisal ;

H. B. 648, S. B. 717, an act to authorize the commissioners of McDowell county to levy a special tax ;

H. B. 666, S. B. 348, an act to prevent the felling of timber in Falling creek in Lenoir county ;

H. B. 726, S. B. 571, an act to amend an act entitled an act to incorporate the Elizabeth City and Norfolk Railroad Company ;

H. B. 697, S. B. 623, an act to enable the board of justices of Chatham county to build a new court-house ;

H. B. 767, S. B. 679, an act to establish a graded public school in Goldsboro ;

H. B. 556, S. B. 664 $\frac{1}{2}$, an act to incorporate the Clinton and Faison Railroad Company ;

S. B. 348, H. B. 955, an act to incorporate the Eastern North Carolina Insane Asylum ;

S. B. 568, H. B. 854, an act for the better government of the North Carolina Insane Asylum ;

H. B. 789, S. B. 719, an act in relation to the Institution for the Deaf and Dumb and the Blind ;

H. B. 116, S. B. 626, an act to require owners and lessees of cotton gins to keep them so enclosed as to turn stock going at large in Pamlico county ;

H. B. 593, S. B. 685, an act to prevent the felling of timber in Hunting Creek, Davie county;

H. R. 116, S. R. 592, resolution on adjournment;

H. R. 116, S. R. 627, resolution in relation to the acts of this General Assembly in regard to crimes and offenses against the State;

H. R. 119, S. R. 645, resolution to investigate the sale and transfer of Carteret county's stock in the Atlantic and N. C. Railroad Company;

H. B. 322, S. B. 578, an act to amend section 11, chapter 92, of the Laws of 1879;

H. B. 247, S. B. 294, an act to prevent the felling of trees and brush in Dolly's Gut and Greene's Thoroughfare in Craven county;

H. B. 512, S. B. 599, an act to amend chapter 82, Laws of 1879, and chapter 30, Laws of Special Session, 1880;

H. B. 461, S. B. 577 $\frac{1}{2}$, an act to authorize and empower the town of Fayetteville to compromise its indebtedness;

H. B. 388, S. B. 529, an act to incorporate the town of Bayborough, in Pamlico county;

H. B. 490, S. B. 655, an act to pay jurors of Graham county;

H. B. 599, S. B. 621, an act to authorize the commissioners of Columbus county to levy a special tax;

H. B. 872, S. B. 703, an act to allow J. H. McNeil, administrator of G. F. McNeill, deceased, former tax collector for Wilkes county, to collect arrears of taxes;

S. B. 493, H. B. 855, an act for the better protection of farmers and fishermen;

H. B. 289 $\frac{1}{2}$, S. B. 501, an act to amend section 9, chapter 7 of Battle's Revisal;

H. B. 469, S. B. 502, an act to repeal chapter 142 of the Laws of 1879;

H. B. 360, S. B. 552, an act concerning the burnt records in Lenoir county;

H. B. 584, S. B. 580, an act to incorporate the Raleigh Council of Royal Arcanum ;

H. B. 638, S. B. 622, an act to authorize the commissioners of Macon county to raise revenue ;

H. B. 698, S. B. 646, an act to amend chapter 36 of the Laws of 1874-'75, concerning Graham High School ;

H. B. 678, S. B. 629, an act to change the name of the town of Quehele to that of Shoe Heel ;

H. R. 121, S. R. 741, resolution in favor of the Caldwell and Watauga Turnpike Company ;

H. B. 407, S. B. 684, an act for the relief of the sureties of E. H. Wilson, late sheriff of Pitt county ;

H. B. 475, S. B. 505, an act to incorporate the town of Sidney in the county of Columbus ;

H. B. 293, S. B. 593, an act to prohibit the sale of spirituous liquors within two miles of the town of Dobson in the county of Surry ;

H. B. 748, S. B. 581, an act to authorize the board of commissioners of Alleghany county to sell the old court-house and lot in said county and erect a poor-house ;

H. B. 311, S. B. 625, an act to authorize and empower the county commissioners of Dare county to provide for the support of the poor for said county ;

H. R. 71, S. R. 602, resolution asking for the re-establishing of Cape Hatteras Light Beacon for the benefit of commerce and the protection of human life ;

H. B. 875, S. B. 708, an act for the relief of R. McMillan, late sheriff of Robeson county.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and were disposed of as follows :

By Mr. Parish : S. B. 782, bill to incorporate the Hillsboro Manufacturing Company in Orange county, N. C. Placed on the Calendar.

By Mr. Staples: S. R. 783, resolution on leaves of absence. Placed on the Calendar.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 788, S. B. 760, bill to authorize the county of Wake to issue bonds, passed its third reading, ayes 32, noes 3, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Cuning- ham, Dickey, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harper, Harris, Jenkins, Jones, Lockhart, Manning, Mebane, Merritt, Newsom, Oates, Parish, Respass, Stowe, Tucker, Williamson of Davie, Woodhouse and York—32.

Those voting in the negative were

Messrs. Newland, Spears and Wynne—3.

H. B. 856, S. B. 766, bill to establish a graded school in the town of Durham, passed its third reading, ayes 31, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Cuning- ham, Dever, Dickey, Dortch, Faison, Finger, Gudger, Hampton, Hanes, Harper, King, Lockhart, Manning, McMillan, Me- bane, Merritt, Newland, Newsom, Oates, Parish, Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse and York —31.

Engrossed House amendments to

S. B. 459, H. B. 931, bill to revise and consolidate the public school law, were taken up.

House amendments to section 9 were read.

Mr. Finger moved the Senate do not concur.

Mr. Mebane asked that the vote be taken on each amend- ment separately. Prevailed.

The motion of Mr. Finger to non-concur in either of the amendments prevailed.

House amendments to sections 12 and 26 were concurred in.

House amendment to section 27 was not concurred in.

First House amendment to section 35 was concurred in.

Second amendment to section 35 was not concurred in.

Mr. Davidson demanded the previous question, which was sustained.

House amendment to section 47 was read.

Mr. Finger moved to concur.

The ayes and noes were demanded and ordered, and the Senate refused to concur, ayes 15, noes 26, as follows:

Those voting in the affirmative were

Messrs. Battle, Burwell, Davidson, Dickey, Dortch, Faison, Finger, Hanes, Harper, Merritt, Scott of Rockingham, Spruill, Tucker, Williamson of Davie and Williamson of Edgecombe—15.

Those voting in the negative were

Messrs. Bernard, Blue, Carter, Cuninghame, Foil, Glenn, Gudger, Hampton, Jenkins, Jones, King, Manning, McMullan, Mebane, Newland, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spears, Stowe, Woodhouse, Wynne and York—26.

First House amendment to section 62 was read.

Mr. Merritt moved to concur, on which

Mr. York demanded the ayes and noes, which were ordered, and the Senate refused to concur, ayes 18, noes 26, as follows:

Those voting in the affirmative were

Messrs. Bernard, Carr, Carter, Clarke, Davidson, Faison, Finger, Foil, Hanes, Jenkins, Merritt, Newsom, Pridgen, Scott of New Hanover, Spears, Spruill, Williamson of Edgecombe and Woodhouse—18.

Those voting in the negative were

Messrs. Battle, Blue, Burwell, Cuninghame, Dortch, Glenn,

Gudger, Hampton, Harper, Harris, Jones, King, Lockhart, Manning, McMillan, Mebane, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Stowe, Tucker, Wynne and York—26.

Second House amendment to section 62 was not concurred in.

House amendment to section 64 was read.

Mr. Finger moved to concur in the amendment, on which Mr. York demanded the ayes and noes, which were ordered, and the motion to concur was lost, ayes 12, noes 27, as follows :

Those voting in the affirmative were

Messrs. Bernard, Carr, Davidson, Dortch, Finger, Hanes, Harper, Merritt, Oates, Scott of Rockingham, Tucker and Williamson of Davie—12.

Those voting in the negative were

Messrs. Blue, Carter, Cuningham, Glenn, Gudger, Hampton, Harris, Jenkins, Jones, King, Lockhart, Manning, McMillan, Mebane, Newland, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Spears, Spruill, Stowe, Whitaker, Woodhouse, Wynne and York—27.

Mr. Carr moved that a message be sent to the House notifying that honorable body of the concurrence of the Senate in certain House amendments, and non-concurrence in certain House amendments, and that a committee of conference be requested.

The motion prevailed, and the President appointed as the Senate branch of said committee, Messrs. Carr, Glenn and Spears.

SPECIAL ORDER.

H. B. 601, S. B. 600, bill to authorize the commissioners of Pender county to levy a special tax to build a court-house and jail, was taken up on its third reading, it being the special order for this hour.

The bill passed its third reading, ayes 31, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Carter, Cuning-
ham, Dortch, Faison, Finger, Foil, Jenkins, Jones, King,
Manning, McMillan, Mebane, Merritt, Newland, Newsom,
Oates, Parish, Respass, Richardson, Scott of Rockingham,
Staples, Tucker, Whitaker, Williamson of Davie, Wood-
house and York—31.

In the negative, Mr. Spears—1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 108, S. B. 784, bill for the prevention of cruelty to animals. Placed on the Calendar.

H. B. 795, S. B. 785, bill to prevent the enticing of sea-
men from their vessels. Placed on the Calendar.

H. R. 130, S. R. 786, resolution to purchase Bibles and
other religious books for the use of the Penitentiary. Placed
on the Calendar.

Engrossed House amendment to

S. B. 577, H. B. 937, bill to increase the number of jus-
tices of the peace in Beaufort county and other counties.

Mr. Parish moved to amend : Add "one additional jus-
tice of the peace for Bingham, Patterson, Durham, Hills-
boro, Cedar Grove and Chapel Hill townships in Orange
county." Adopted.

Mr. Williamson of Edgecombe moved to amend : Add
"two additional justices of the peace for each township in
Edgecombe county." Adopted.

Mr. Cuningham moved to amend : Add "one additional
justice of the peace for Bushy Fork township in Person
county." Adopted.

Mr. Dortch moved to amend : Strike out "magistrate" or

"magistrates" wherever it occurs and insert "justice of the peace" or "justices of the peace." Adopted.

Mr. Whitaker moved to amend: Add "one additional justice of the peace for each township in Halifax county." Adopted.

Mr. Stowe moved to amend: Add "two additional justices of the peace for each township in Gaston and Cleveland counties." Adopted.

On motion of Mr. Dortch, the bill and amendments were postponed until Monday, 7th inst., at 2 o'clock P. M., and made the special order for that hour.

SPECIAL ORDER.

H. B. 911, S. B. 740, bill to render more efficient laws regulating the sale of spirituous liquors by the small measure, on its third reading, it being the special order for this hour.

Mr. York moved to amend:

"*Provided*, The provisions of this bill shall not apply to Wilkes county."

Lost.

Mr. Respass moved to amend:

"*Provided*, This act shall not apply to the counties of Beaufort, Martin, Washington, Tyrrell, Dare, Hyde and Pamlico."

Lost.

Mr. Davidson moved to amend: Strike out in lines 13, 14 and 15, section 18, the words "or at the general business office of such vintner or manufacturer." Lost.

Mr. Harper moved to amend: Strike out line 15, section

18, beginning at and including the word "nor," down to and including the word "medicine" in line 18. Lost.

Mr. Carter moved to amend :

" Provided, This act shall not apply to Warren county."

Lost.

Mr. Williamson of Edgecombe moved to amend :

" Provided, That the provisions of this act shall not apply to Edgecombe county."

Lost.

Mr. Oates moved to amend : Strike out in line 7, section 18, "ten gallons" and insert "one gallon." Lost.

Mr. Manning moved to amend :

" Provided, That this act shall not apply to the counties of Hertford, Gates, Chowan, Perquimans, Pasquotank, Camden and Currituck."

Lost.

Mr. Bernard moved to amend :

" Provided, This act shall not apply to Pitt county."

Lost.

Mr. Jenkins moved to amend :

" Provided, That the provisions of this act shall not apply to the new county of Vance and that small strip of land left of the old county of Granville."

Lost.

Mr. Tucker moved to amend : Strike out all after the word "provided," in line 5, section 1. Adopted.

Mr. Davidson demanded the previous question, which was sustained.

Question recurring upon the passage of the bill its third reading, the bill failed to pass, ayes 21, noes 26, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Carr, Cuninghame, Davidson, Dickey, Dortch, Faison, Finger, Glenn, Gudger, Hanes, Harper, Harris, Lockhart, Merritt, Newland, Spears, Stowe, Tucker and Williamson of Davie—21.

Those voting in the negative were

Messrs. Bernard, Carter, Clarke, Foil, Hampton, Jenkins, Jones, King, Manning, McMillan, Mebane, Newsom, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Whitaker, Williamson of Edgecombe, Woodhouse, Wynne and York—26.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 339, S. B. 784 $\frac{1}{2}$, bill to give aid to the people of the State by the establishment of three additional Superior Court districts.

On motion of Mr. Dortch, the bill was referred to the committee on Judiciary, ordered printed, and made the special order for Tuesday, 8th instant, at 12 o'clock M.

Mr. Dortch moved that when the Senate adjourn to-day, it do so until Monday morning at 10 o'clock. The motion prevailed.

The hour of half-past two o'clock having arrived, the Senate adjourned until Monday morning at 10 o'clock.

FIFTY-THIRD DAY.

SENATE CHAMBER, March 7th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Leave of absence was granted to Mr. King indefinitely.

PETITION.

By Mr. Glenn: Petition of citizens of Forsyth county, in regard to prohibition. Referred to the committee on Prohibition.

Leave of absence was granted Mr. Staples for to-night.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Dortch: S. B. 788, bill to incorporate the board of trustees of the Orphan Home for colored people. Placed on the Calendar.

By Mr. Hampton: S. B. 789, bill to make Arrat river, in Surry county, a lawful fence. Placed on the Calendar.

Mr. Scott of Rockingham, from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled:

H. B. 775, S. B. 790, an act for the benefit of the Supreme Court Reporter;

S. B. 791, H. B. 1001, an act to provide additional clerk hire for Auditor of State;

H. B. 788, S. B. 760, an act to authorize the county of Wake to issue bonds;

H. B. 1035, S. B. 808, an act supplemental to an act entitled "an act for the better protection of farmers and fishermen."

The committee on Engrossed Bills reported as properly engrossed :

S. B. 591, bill to prevent the felling of timber in Nantihali river, in Clay and Macon counties ;

S. B. 726, bill to incorporate the Sons and Daughters of Charity Benevolent Aid Society of New Hanover county ;

S. B. 484, bill to protect the fishing interest of Albemarle Sound ;

S. B. 589, bill for the relief of jurors in Polk county.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows :

S. B. 606, bill to amend the charter of the town of Trinity in Randolph county, passed its third reading, ayes 25, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Carr, Cuningham, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Jones, Lockhart, Manning, McMillan, Mebane, Newland, Pridgen, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Woodhouse, Wynne and York—25.

In the negative, Messrs. Hanes and King—2.

S. B. 696, bill to authorize the commissioners of Brunswick county to levy a special tax, passed its third reading, ayes 24, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Carr, Cuningham, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Jones, King, Lockhart, McMillan, Mebane, Newland, Respass, Scott of Rockingham, Staples, Stowe, Tucker, Woodhouse, Wynne and York—24.

In the negative, Messrs. Hanes and Spears—2.

S. B. 727, bill to amend the charter of the town of Jack-

sonville in Onslow county, passed its third reading, ayes 25, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Carr, Clarke, Cuningham, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Jones, Lockhart, Manning, McMillan, Mebane, Newland, Scott of Rockingham, Staples, Stowe, Tucker, Woodhouse, Wynne and York—25.

In the negative, Messrs. King and Spears—2.

It was ordered sent to the House without engrossment.

S. R. 783, resolution relative to leaves of absence, passed its several readings.

S. B. 788, bill to incorporate the Board of Trustees of the Orphan Home for colored people, passed its several readings and was ordered sent to the House without engrossment.

S. B. 457, bill in relation to the public roads of Cabarrus county, was, on motion, laid on the table.

H. B. 79, S. B. 597, bill to establish the Roxboro and Danville Turnpike Company to establish a turnpike road from the Virginia line to Durham, was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting

H. B. 775, S. B. 790, bill for the benefit of the Supreme Court Reporter. Placed on the Calendar.

Without engrossment

H. B. 1001, S. B. 971, bill concerning justices of the peace in the county of Durham.

On motion of Mr. Clarke, the rules were suspended, the bill was taken up, passed its several readings and was ordered enrolled.

The Calendar was resumed.

H. B. 775, S. B. 790, bill for the benefit of the Supreme Court Reporter, passed its several readings and was ordered enrolled.

S. B. 754, bill to facilitate the transaction of business in the next General Assembly, passed its several readings and was ordered transmitted to the House without engrossment.

H. B. 569, S. B. 686, bill to make dogs listed for taxation the subject of larceny, passed its several readings and was ordered enrolled.

H. B. 733, S. B. 665, bill to secure the better drainage of the lowlands of South river, Big Swamp, Little Coharrie, Bear Skin, Big Coharrie river, in Sampson county, and their tributaries, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. B. 914, S. B. 792, bill to amend and define the boundary lines of the corporation of the town of Morganton in Burke county. Referred to the committee on Corporations.

H. B. 879, S. B. 793, bill to repeal a portion of chapter 232, Laws of 1879. Referred to the committee on Judiciary.

H. B. 896, S. B. 794, bill to incorporate Goldsboro Lodge, No. 1,786, G. U. O. of O. F. Placed on the Calendar.

H. B. 890, S. B. 795, bill to amend chapter 34, Laws of Special Session, 1880. Referred to the committee on Corporations.

H. B. 685, S. B. 796, bill to allow county commissioners to place the names of school committeemen in the jury box. Referred to the committee on Judiciary.

H. B. 631, S. B. 797, bill to allow the commissioners of Ashe county to levy a special tax. Placed on the Calendar.

H. B. 478, S. B. 798, bill to allow the commissioners of Tyrrell county to lay out public roads and to furnish to said county convict labor to aid in constructing said roads. Placed on the Calendar.

H. B. 87, S. B. 799, bill relating to bringing stock from

other States into this State. Referred to the committee on Propositions and Grievances.

H. B. 928, S. B. 800, bill for the protection of crops in the county of Rowan. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 576, S. B. 801, bill to amend section 1, chapter 25 Battle's Revisal, limiting the number of jurors in coroners' inquests to six. Placed on the Calendar.

H. B. 917, S. B. 802, bill to incorporate the Western Union Normal School for the colored, in the town of Monroe, Union county. Placed on the Calendar.

H. B. 375, S. B. 803, bill to authorize and empower the commissioners of Bertie county to levy a special tax. Placed on the Calendar.

H. B. 945, S. B. 804, bill to authorize the commissioners of Madison county to pay the county indebtedness in bonds. Referred to the committee on Propositions and Grievances.

H. B. 1004, S. B. 805, bill in regard to the collection of taxes in Robeson county. Referred to the committee on Propositions and Grievances.

H. B. 912, S. B. 806, bill to raise revenue. Placed on the Calendar and made special order for Tuesday, 8th inst., at 11 o'clock A. M.

H. B. 977, S. B. 807, bill to prevent the felling of trees in any of the creeks and rivers in Person county and to make South Hyco a lawful fence. Placed on the Calendar.

Engrossed House amendment to

S. B. 572, H. B. 959, bill to prevent the fishing with drift nets in certain waters of the State.

The amendment was concurred in, and the bill ordered enrolled.

Engrossed House amendment to

S. B. 149, H. B. 366, bill to amend the charter of the town of Hickory.

The amendment was concurred in, and the bill was ordered enrolled.

Also a message announcing the concurrence of that honorable body in the proposition of the Senate for a committee of conference on House amendment to

S. B. 459, H. B. 931, bill to revise and consolidate the public school laws, &c., and had appointed as House branch of such committee, Messrs. Webster, Sparrow, Day, Carter and Blaisdell.

Also a message announcing the concurrence of that honorable body in Senate amendments to

H. B. 147, S. B. 248, bill to amend section 1, chapter 195, Laws of 1874, being an act for the protection of birds in certain counties;

Also in Senate amendments to

H. B. 735, S. B. 705, bill to incorporate the Beaver Dam Drainage Company, of Sampson county;

Also in the report of the committee of conference in

H. B. 22, S. B. 157, bill to incorporate the Roanoke Non-Sectarian Male and Female Academy; and had ordered the same enrolled.

Also transmitting without engrossment

H. B. 1035, S. B. 808, bill supplemental to an act entitled an "act to provide for the better protection of farmers and fishermen." Placed on the Calendar.

The Calendar was resumed.

H. B. 102, S. B. 378, bill to authorize the board of commissioners of Halifax county to pay certain school claims, was, on motion, laid on the table.

H. B. 977, S. B. 807, bill to prevent the felling of trees in any of the creeks and rivers in Person county and to make South Hyco a lawful fence, passed its several readings and was ordered enrolled.

On motion of Mr. Jones,

H. B. 429, S. B. 554, bill to amend the charter of the town of Beaufort in the county of Carteret, was taken from the table and placed on the Calendar.

On his further motion, the bill was taken up and passed its second reading, ayes 24, noes 3, as follows:

Those voting in the affirmative were

Messrs. Clarke, Cuninghame, Davidson, Dortch, Finger, Foil, Gudger, Hampton, Jones, Manning, McMillan, Mebane, Merritt, Newsom, Pridgen, Respass, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Woodhouse and York—24.

In the negative, Messrs. King, Newland and Spears—3.

H. R. 130, S. R. 786, resolution to purchase Bibles and other religious books for the use of the Penitentiary, passed its several readings and was ordered enrolled.

H. B. 504, S. B. 640, bill to incorporate Shady Grove Methodist Church, South, in the county of Haywood, passed its several readings and was ordered enrolled.

H. B. 591, S. B. 641, bill to repeal section 14, chapter 117, Laws of 1879, passed its several readings and was ordered enrolled.

S. B. 497, bill to incorporate Snow Hill church in Cherokee county, passed its several readings and was ordered sent to the House without engrossment.

H. B. 753, S. B. 738½, bill to amend chapter 118, Battle's Revisal, passed its several readings and was ordered enrolled.

H. B. 131, S. B. 579, bill to lay off and regulate the wreck districts of Dare county, passed its several readings and was ordered enrolled.

H. B. 762, S. B. 643, bill to incorporate the Trustees of Tyson Creek Academy in Chatham county, passed its several readings and was ordered enrolled.

H. B. 667, S. B. 647, bill to amend chapter 118, Battle's Revisal, so as to include the county of Hyde, passed its several readings and was ordered enrolled.

H. B. 708, S. B. 650, bill to protect pilots at Hatteras Inlet from forfeiture of their branch, &c., passed its several readings and was ordered enrolled.

H. B. 774, S. B. 651, bill to incorporate Bingham School Trust Fund, passed its several readings and was ordered enrolled.

H. B. 645, S. B. 654, bill to incorporate Union Chapel Church and Camp Ground, passed its several readings and was ordered enrolled.

H. B. 583, S. B. 700, bill to amend the charter of the Fairfield Canal Company in Hyde county, passed its several readings and was ordered enrolled.

H. B. 522, S. B. 702, bill to amend section 8, chapter 30, Laws of Special Session of 1880, passed its several readings and was ordered enrolled.

H. B. 603, S. B. 709, bill to protect the public bridges on Scuppernong at Columbia and the Cross Landing and Alligator creek in Tyrrell county, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting the report of the committee of Conference on House amendments to

S. B. 459, H. B. 931, bill to revise and consolidate the public school law, announcing the adoption of the same by the House. Placed upon the Calendar.

The Calendar was resumed.

H. B. 495, S. B. 710, bill to amend chapter 107, Laws of 1874-'75, relating to the town of LaGrange, in the county of Lenoir, passed its several readings, and was ordered enrolled.

H. B. 873, S. B. 713, bill for the protection of sheep in the county of Buncombe, passed its several readings, and was ordered enrolled.

H. B. 145, S. B. 739, bill to amend chapter 32, Private Laws of 1874-'75, being an act to incorporate the Oriental Fish and Oyster Company, was, on motion, laid on the table.

H. B. 867, S. B. 715, bill requiring the county commissioners of Wake county to pay Mrs. Osborne one hundred and seventy-five dollars for feeding a jury of Wake county, passed its several readings, and was ordered enrolled.

H. B. 795, S. B. 785, bill to prevent the enticing of seamen from vessels, passed its several readings, and was ordered enrolled.

H. B. 660, S. B. 773, bill for the support of the Penitentiary, passed its second reading.

H. B. 478, S. B. 798, bill to authorize the commissioners of Tyrrell county to lay out public roads, and to furnish to said county convict labor to aid in constructing the said roads, passed its several readings, and was ordered enrolled.

H. B. 153, S. B. 732, bill to authorize the State Treasurer to exchange the stock of the State in the Albemarle and Chesapeake Canal Company for the bonds of the State, on its second reading.

Mr. Williamson of Edgecombe moved to lay the bill on the table. Lost.

The bill passed its second reading, and was put upon its third reading.

On the passage of the bill its third reading,

Mr. Gudger demanded the ayes and noes, which were ordered, and the bill passed, ayes 18, noes 12, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dortch, Finger, Foil, Gudger, Harris, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Respass, Stowe, Woodhouse and York—18.

Those voting in the negative were

Messrs. Glenn, Hanes, King, Newland, Newsom, Pridgen, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Tucker and Williamson of Edgecombe—12.

H. B. 570, S. B. 801, bill to amend section 1, chapter 25, Battle's Revisal, limiting the number of jurors in coroner's

inquests to six, passed its several readings, and was ordered enrolled.

By consent .

Mr. Woodhouse reported from the committee on Propositions and Grievances.

H. B. 580, S. B. 776, bill to appoint cotton weighers for the town of Shelby, and to give the aldermen power to tax drays and livery stables, recommending it do pass.

The Calendar was resumed.

H. B. 1035, S. B. 808, bill supplemental to an act entitled "an act to provide for the better protection of farmers and fishermen," passed its several readings, and was ordered enrolled.

Mr. Dortch moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 789, bill to make Arrat river in Surry county a lawful fence, passed its several readings and was ordered sent to the House without engrossment.

H. B. 917, S. B. 802, bill to incorporate the Western Union Normal School for the colored, in the town of Monroe, Union county, passed its several readings and was ordered enrolled.

H. B. 896, S. B. 794, bill to incorporate the Goldsboro Lodge, No. 1,786, G. U. O. of O. F., passed its several readings and was ordered enrolled.

H. B. 375, S. B. 803, bill to authorize and empower the commissioners of Bertie county to levy a special tax, passed its second reading, ayes 25, noes 1, as follows:

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dortch, Finger, Foil, Gudger, Hampton, Harris, King, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Pridgen, Respass, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker and Woodhouse—25.

In the negative, Mr. Hanes—1.

H. B. 631, S. B. 797, bill to allow the commissioners of Ashe county to levy a special tax, passed its second reading, ayes 26, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Pridgen, Respass, Scott of Rockingham, Staples, Stowe, Tucker, Whitaker, Williamson of Edgecombe, Woodhouse and York—26.

H. B. 580, S. B. 776, bill to appoint cotton weighers for the town of Shelby and to give the aldermen power to tax drays and livery stables, passed its second reading, ayes 26, noes 2, as follows :

Those voting in the affirmative were

Messrs. Bernard, Cuningham, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Harris, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Pridgen, Respass, Scott of Rockingham, Staples, Stowe, Tucker and Woodhouse—26.

In the negative, Messrs. King and Williamson of Edgecombe—2.

S. R. 278, resolution in relation to Yorktown, on its second reading.

On motion of Mr. Dortch, it was postponed until Tuesday, 8th inst., at half-past seven o'clock P. M., and made the special order for that hour.

By consent,

Mr. Williamson of Edgecombe introduced, (by request,)

S. R. 809, resolution for the relief of the joint committee on Enrolled Bills. Placed on the Calendar.

H. B. 108, S. B. 784, bill for the prevention of cruelty to animals, was, on motion, laid on the table.

S. B. 441, bill to ascertain whether the majority of the electors of the State are in favor of or against the manufacture and sale of spirituous liquors, was, on motion, laid on the table.

S. B. 440, bill to prohibit the manufacture and sale of

spirituous liquors in the State, was, on motion, laid on the table.

S. B. 667, bill to prohibit the manufacture and sale of spirituous and malt liquors, on its second reading.

On motion of Mr. Whitaker, the bill was postponed until Tuesday, 8th inst., at half-past eight o'clock P. M., and made the special order for that hour.

H. B. 296, S. B. 316, bill to protect partridges in the county of Wake, passed its several readings and was ordered enrolled.

By consent,

Mr. Davidson introduced

S. B. 810, bill to incorporate the Asheville Gas and Water Supply Company.

On motion of Mr. Davidson, the rules were suspended, the bill passed its several readings and was ordered sent to the House without engrossment.

S. B. 392, bill to amend section 30, chapter 70, Laws of 1879, passed its several readings and was ordered engrossed.

On motion of Mr. Glenn,

S. B. 772, bill to validate certain sales, was withdrawn from the committee on Judiciary and placed on the Calendar.

On his further motion, the bill was taken up, passed its several readings, and was ordered sent to the House without engrossment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting engrossed

H. B. 985, S. B. 811, bill to prevent the sale of intoxicating liquors in certain localities. Referred to the committee on Prohibition.

H. B. 643, S. B. 767, bill to provide for the levying and collection of taxes, on its third reading.

Mr. Newland moved to amend section 8: Strike out in

line 12, the word "provisions," and insert, "except bacon, corn, wheat, rye, and oats of the farmers' own production, not to exceed two hundred and fifty dollars." Lost.

Mr. Gudger moved to amend section 12: Strike out in line 25, "twenty-five" and insert "one hundred and fifty." Lost.

Mr. Tucker moved to amend section 18: Strike out in line 3 the word "July" and insert "August." Adopted.

Mr. Davidson moved to amend section 19: Strike out all of the section after the word "question" in line 7, down to and including the word "but" in line 9, on which

Mr. Newland demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 18, noes 9, as follows:

Those voting in the affirmative were

Messrs. Battle, Cuninghame, Davidson, Glenn, Hampton, Hanes, King, McMillan, Mebane, Merritt, Newland, Spears, Spruill, Staples, Tucker, Williamson of Edgecombe, Wynne and York—18.

Those voting in the negative were

Messrs. Bernard, Dortch, Finger, Foil, Gudger, Harper, Manning, Richardson and Woodhouse—9.

Mr. Tucker moved to amend section 21: Insert in line 8, after the word "rendered," the words "to the board of county commissioners on or before the first Monday in October." Adopted.

Mr. Williamson of Edgecombe moved to amend section 33: Strike out all after the word "and" in line 8, down to and including "county" in line 9. Lost.

Mr. Tucker moved to amend section 33: Insert "execution costs on all tax receipts after the first day of December." Lost.

Mr. Tucker moved to amend section 31: Insert after the word "commissioners," in line 5, the words "on or before the first Monday in September in each year." Adopted.

Mr. Tucker moved to amend section 34: In sub-section 1

line 5, insert after the word "him" the words "and no land." Lost.

Mr. Davidson moved to amend section 34: Insert in subsection 3, after the word "situated" in line 45, the words "if there be such newspaper;" and strike out all of line 46 and in line 47 the words "then in the nearest newspaper." Adopted.

Pending consideration,

The hour of half-past two o'clock having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 7th, 1881.

The Senate met pursuant to adjournment.

Mr. Battle moved the Senate adjourn, on which

Mr. Mebane demanded the ayes^e and noes, which were ordered, and the Senate refused to adjourn, ayes 2, noes 18, as follows:

Those voting in the affirmative were

Messrs. Battle and Respass—2.

Those voting in the negative were

Messrs. Cuninghame, Davidson, Dortch, Finger, Foil, Hanes, Harper, Manning, McMillan, Mebane, Merritt, Newland, Oates, Richardson, Scott of Rockingham, Spruill, Tucker and Woodhouse—18.

By consent,

Mr. Davidson introduced

S. B. 812, bill to amend chapter 241, Laws of 1876-'77, entitled an act to amend section 74, Code of Civil Procedure, and in other particulars.

On motion of Mr. Davidson, the bill was taken up, passed its several readings, and was ordered sent to the House without engrossment.

REPORTS FROM COMMITTEES.

By consent,

Mr. Dortch reported from the committee on Judiciary, S. B. 89, bill to create a railroad commissioner for North Carolina; and

S. B. 231, bill to provide for the regulation of freight tariffs, freights, &c.; and

H. B. 335, (216) S. B. 688, bill to provide for the classification of railroads in this State and for other purposes,

Reporting a substitute for the same, and recommending the substitute do pass.

Mr. Spruill reported from the committee on Judiciary,

H. B. 523, S. B. 780, bill to protect laborers and mechanics employed and persons injured in person or property by railroad companies, recommending it do pass.

H. B. 652, S. B. 712, bill to amend chapter 299, Public Laws of 1879, recommending it do pass.

S. B. 734, bill to amend chapter 264, Laws of 1879, recommending it do not pass.

Mr. Scott of Rockingham moved to reconsider the vote by which

H. B. 911, S. B. 740, bill to render more efficient laws regulating the sale of spirituous liquors by the small measure, failed to pass its third reading on Saturday, and moved to postpone the consideration of the motion for the present. The latter motion prevailed.

UNFINISHED BUSINESS.

H. B. 643, S. B. 767, bill to provide the levying and col-

lecting taxes, was taken up on its third reading, it being the unfinished business of the morning.

Mr. Battle moved to amend section 45: Strike out all from the word "he" in line 3, down to and including the word "hands," in line 8. Lost.

Mr. Manning moved to amend: Strike out all in lines 6, 7 and 8. Lost.

The bill was then considered as a whole.

Mr. Davidson moved to amend: Strike out the words "county commissioners" wherever they occur, and insert in lieu thereof the words "Board of commissioners." Adopted.

Mr. McMillan moved to amend section 7: Strike out all in line 6 after the word "tax payer" to end of line 14; on which

Mr. Stowe demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 6, noes 22, as follows:

Those voting in the affirmative were:

Messrs. McMillan, Newland, Scott of New Hanover, Stowe, Wynne and York—6.

Those voting in the negative were

Messrs. Bernard, Clarke, Cuninghame, Davidson, Finger, Foil, Hampton, Harper, Harris, King, Lockhart, Manning, Mebane, Oates, Parish, Pridgen, Richardson, Scott, of Rockingham, Spruill, Tucker, Williamson of Edgecombe and Woodhouse—22.

Mr. Finger moved to amend section 12 by striking out in line 20, the words "nor to solvent credits." Lost.

The bill then passed its third reading, and the amendments were ordered engrossed.

By consent,

Mr. Lockhart reported from the committee on Corporations,

S. B. 753, bill to effect railway communication between

Beaufor harbor and Tennessee, reporting it without prejudice.

Also reported from the committee on Internal Improvements,

H. B. 79, S. B. 597, bill to enable the Roxboro and Danville Turnpike Company to establish a turnpike road from the Virginia line to Durham, recommending it do not pass.

Mr. Finger moved to reconsider the vote by which the Senate concurred in House amendment to

S. B. 149, H. B. 366, bill to amend the charter of the town of Hickory, this morning. The motion prevailed.

Mr. Finger moved the Senate do not concur in the amendment, which prevailed.

A message was sent to the House accordingly.

S. B. 782, bill to incorporate the Hillsboro Manufacturing Company in Orange county, North Carolina, passed its several readings and was ordered sent to the House without engrossment.

Mr. Battle, from the committee on Propositions and Grievances, reported

H. B. 1004, S. B. 805, bill in regard to the collection of taxes in Robeson county, recommending it do pass.

The report of the committee of conference on House amendments to

S. B. 459, H. B. 931, bill to revise and consolidate the public school laws, was taken up.

Mr. Stowe moved the report of the committee be adopted.

Mr. Cuninghame demanded the previous question, which was sustained.

Mr. Finger demanded the ayes and noes, on the adoption of the report, which were ordered, and the report was adopted, ayes 17, noes 13, as follows:

Those voting in the affirmative were

Messrs. Carr, Clarke, Cuninghame, Davidson, Dortch, Foil, Harper, King, Mebane, Merritt, Newsom, Parish, Pridgen, Scott of New Hanover, Spruill, Stowe and Woodhouse—17.

Those voting in the negative were

Messrs. Battle, Finger, Hampton, Lockhart, Manning, McMillan, Newland, Oates, Richardson, Scott of Rockingham, Tucker, Williamson of Edgecombe and York—13.

A message was received from the House, returning to the Senate

H. B. 898, S. B. 768, bill concerning representation in the Senate. Placed on the Calendar.

Also transmitting without engrossment

H. B. 885, S. B. 813, bill to incorporate the Raleigh Street Railway Company.

On motion of Mr. Davidson, the bill was taken up, passed its several readings, and was ordered enrolled.

H. B. 1004, S. B. 805, bill in regard to the collection of taxes in Robeson county, passed its several readings and was ordered enrolled.

Mr. Parish reported from the committee on Judiciary

S. B. 755, bill to republish the Supreme Court Reports, recommending it do pass; also

H. B. 31, S. B. 146, bill to punish the crime of producing abortion, recommending it do pass.

Mr. Finger reported from the committee on Internal Improvements

S. B. 269, bill to provide for the construction of the Newbern and Beaufort Canal, reporting it back without action.

Mr. Davidson introduced

S. B. 814, bill to repeal chapter 27, Private Laws of 1870-'71.

On motion of Mr. Davidson, the bill was taken up, passed its several readings and was ordered engrossed.

Mr. Scott of New Hanover introduced

S. B. 815, bill to amend section 4, chapter 23, Battle's Revisal. Placed on the Calendar.

A message was received from the House, transmitting without engrossment

H. B. 1047, S. B. 816, bill to prohibit the sale of spiritu-

ous liquors in certain localities in Anson county. Placed on the Calendar.

S. B. 525, bill to protect partridges and certain other birds in North Carolina, on its second reading.

Amendments were adopted providing the act should not apply to the counties of Alleghany, Ashe, Watauga, Wilkes, Caldwell, Columbus, New Hanover, Pender, Brunswick, Bladen, Gates, Chowan, Perquimans, Pasquotank, Camden, Currituck, Washington, Surry, Yadkin, Sampson, Lenoir, Green, Beaufort, Martin, Tyrrell, Dare, Edgecombe, Bertie Johnston, Person and Gaston.

Mr. Parish moved to amend: Strike out "twentieth" and insert "first." Lost.

The bill then passed its second and third readings and was ordered engrossed.

A message was received from the House, transmitting engrossed

House amendment to

S. B. 351, H. B. 987, bill to provide for additional servants for the various State departments.

Mr. Newland moved the Senate do not concur in the amendments, which prevailed.

H. B. 920, S. B. 765, bill to incorporate the North Carolina Fertilizer Company, was taken up, passed its several readings and was ordered enrolled.

At half-past ten o'clock P. M., the Senate adjourned.

FIFTY-FOURTH DAY.

SENATE CHAMBER, March 8th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Watkins.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows :

By Mr. Cuningham : Petition from certain churches in Yanceyville, Caswell county, asking for prohibition within two miles of the same. Placed on the Calendar.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Fish and Fisheries :

By Mr. York : S. B. 669, bill to prevent the destruction of fish in Hannah's creek in Johnston county, recommending it do pass.

From the committee on Finance :

By Mr. Richardson : S. R. 698, resolution in favor of G. W. Parton, night-watchman, recommending it do not pass.

S. B. 444, bill to prevent railroad companies from obtaining charters merely for speculative purposes, recommending it do not pass.

From the joint committee on Prohibition :

By Mr. Tucker : H. B. 985, S. B. 811, bill to prohibit the sale of intoxicating liquors in certain localities, recommending it do pass.

From the committee on Judiciary :

By Mr. Tucker : H. B. 692, S. B. 758, bill to amend chapter 35, Laws of 1879, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining :

By Mr. Harper : H. B. 665, S. B. 774, bill for the protection of sheep husbandry in the county of Dare, recommending it do pass.

H. B. 928, S. B. 800, bill for the protection of crops in the county of Rowan, recommending it do not pass.

From the committee on Corporations:

By Mr. Harper: H. B. 671, S. B. 775, bill to amend the charter of the town of Mount Olive, in the county of Wayne, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed

S. B. 471, bill for the relief of the sureties of D. A. Walford, late sheriff of Bertie county;

S. B. 721, bill to appoint two cotton weighers for the town of Washington in Beaufort county;

S. B. 746, bill to repeal section 2, chapter 50 of the Laws of 1879;

S. B. 590, bill to prevent the felling of timber in the Hiwassee river in Clay and Cherokee counties;

S. B. 675, bill to prevent persons who fence up their lands under any stock law in the State from turning cattle or live stock on the lands of other persons;

S. B. 544, bill to authorize the chairman of the board of county commissioners of Onslow county to sign certain orders on the treasurer of said county;

S. B. 612, bill to prevent the felling of timber in Valley river and Notley river;

S. B. 655 $\frac{1}{2}$, bill to designate the holidays to be observed and dates when papers will be due;

S. B. 536, bill to extend the provisions of chapter 138, Laws of 1873-'74, to counties in the matter of the sale of intoxicating liquors;

S. R. 695, resolution requesting the Governor of North Carolina to correspond with the Governor of South Carolina in regard to establishing a line fence between said States in certain counties;

S. B. 637, bill to amend chapter 111, section 1, Laws of 1879, entitled an act to amend chapter 102 of the Laws of

1879, entitled an act to amend chapter 102 of the Laws of 1876-'77;

S. B. 423, bill to incorporate the North Carolina Pharmaceutical Association;

S. B. 543, bill to prevent the felling of timber or other obstructions in South Fork creek in Forsyth and Davidson counties, and for other purposes;

S. B. 696, bill to authorize the commissioners of Brunswick county to levy and collect a special tax;

S. B. 606, bill to amend the charter of the town of Trinity in Randolph county;

S. B. 754, bill to facilitate the transaction of business in the next General Assembly;

S. B. 497, bill to incorporate Snow Hill church in Cherokee county;

S. B. 727, bill to amend the charter of the town of Jacksonville in the county of Onslow, being chapter 11, Private Laws of 1866;

S. B. 814, bill to repeal chapter 27, Private Laws of 1870-'71;

S. B. 755, bill to republish the Reports of the Supreme Court.

Mr. Clarke from the committee on Enrolled Bills reported the following bills as correctly enrolled:

S. B. 149, H. B. 366, an act to amend the charter of the town of Hickory;

H. B. 59, S. B. 424, an act to pay Louis Hilliard and Thomas J. Wilson for services as Judges of the Superior Courts.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Williamson of Davie: S. B. 817, bill to incorporate the Hook and Ladder Company of Salisbury. Placed on the Calendar.

By Mr. Dortch: S. B. 818, bill fixing probate and registration fees in certain cases. Placed on the Calendar.

By Mr. Glenn: S. B. 819, bill to prohibit the leasing, hiring, or farming out of railroads in this State without the sanction of the General Assembly. Referred to the committee on Corporations.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 429, S. B. 554, bill to amend the charter of the town of Beaufort in the county of Carteret, passed its third reading, ayes 29, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Carter, Cuninghame, Dortch, Finger, Foil, Glenn, Hampton, Hanes, Jones, Manning, McMillan, Mebane, Merritt, Newsom, Oates, Parish, Pridgen, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—29.

In the negative, Mr. King—1.

H. B. 375, S. B. 803, bill to authorize and empower the commissioners of Bertie county to levy a special tax, passed its third reading, ayes 28, noes 2, as follows:

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Cuninghame, Dortch, Finger, Glenn, Gudger, Hampton, Hanes, Jones, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—28.

In the negative, Messrs. King and Spears—2.

H. B. 631, S. B. 797, bill to allow the commissioners of Ashe county to levy a special tax, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Cuningham, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Hanes, Jones, Lockhart, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—30.

H. B. 580, S. B. 776, bill to appoint cotton weighers for the town of Shelby, and to give the aldermen power to tax drays and livery stables, passed its third reading, ayes 25, noes 4, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Cuningham, Dortch, Finger, Foil, Glenn, Gudger, Hanes, Manning, Merritt, Newsom, Newland, Oates, Parish, Pridgen, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse and York—25.

Those voting in the negative were

Messrs. Clarke, Scott of New Hanover, Spears and Wynne—4.

H. B. 660, S. B. 773, bill for the support of the Penitentiary, on its third reading.

Mr. Merritt moved to amend: Strike out from and after the word "sum" in line 8, section 2, to and including the word "expenses," in line 12, same section, and insert instead thereof the words "of three hundred dollars per annum." Adopted.

Mr. Williamson of Edgecombe moved to amend: Add "and out of the sum herein appropriated the directors are hereby authorized and directed to provide some efficient heating apparatus for the sleeping apartments of the convicts," on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 16, noes 22, as follows:

Those voting in the affirmative were

Messrs. Carter, Clarke, Davidson, Dortch, Foil, Hanes, Harper, King, Newsom, Pridgen, Scott of New Hanover, Spears

Staples, Williamson of Davie, Williamson of Edgecombe and Wynne—16.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Cuningham, Finger, Hampton, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Tucker, Woodhouse and York—22.

Bill then passed its third reading, and the amendment was ordered engrossed.

H. B. 671, S. B. 775, bill to amend the charter of the town of Mount Olive, in the county of Wayne, passed its second reading, ayes 29, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Cuningham, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hanes, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Newsom, Oates, Parish, Pridgen, Respass, Spears, Spruill, Tucker, Woodhouse and York—29.

In the negative, Mr. Wynne—1.

S. B. 817, bill to incorporate the Hook and Ladder Company of Salisbury, passed its several readings, and was ordered sent to the House without engrossment.

H. B. 1047, S. B. 816, bill to prohibit the sale of spirituous liquors in certain localities in Anson county, passed its several readings, and was ordered enrolled.

S. B. 755, bill to republish the Reports of the Supreme Court, on its second reading.

On the passage of the bill its second reading, the ayes and noes were demanded and ordered, and the bill passed its second reading, ayes 25, noes 5, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Clarke, Cuningham, Davidson, Finger, Foil, Glenn, Hampton, Hanes, Harper, Jones, Lockhart, Manning, McMillan, Merritt, Oates, Parish, Pridgen, Spears, Tucker, Williamson of Davie, Williamson of Edgecombe and Woodhouse—25.

Those voting in the negative were

Messrs. Richardson, Spruill, Stowe, Wynne and York—5.

The bill then passed its third reading, and was ordered engrossed.

SPECIAL ORDER.

H. B. 912, S. B. 806, bill to raise revenue, was taken up on its second reading, it being the special order for this hour.

Mr. Newland moved to amend section 1, class 2: Strike out all from the word "in" in line 7 down to and including "dollars" in line 15, on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 8, noes 22, as follows:

Those voting in the affirmative were

Messrs. Blue, Cuninghame, Glenn, Gudger, McMillan, Newland, Wynne and York—8.

Those voting in the negative were

Messrs. Battle, Bernard, Carter, Clarke, Finger, Jones, King, Lockhart, Manning, Mebane, Merritt, Newsom, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Spruill, Tucker and Woodhouse—22.

Mr. Staples moved to amend section 13, schedule B: Strike out in line 8, after the word "kept" the words "this section shall not apply to persons who sell stock raised by themselves." Adopted.

Mr. Stowe moved to amend section 15, schedule B: Strike out "vinous." Lost.

Mr. Dortch moved to amend section 17, schedule B: Insert after the word "state," line 7, the following: "except purchasers of farm products from the producer."

Mr. Newland moved to amend the amendment: "This amendment shall not apply to bacon and grain." Lost.

Mr. Dortch's amendment was adopted.

Mr. Scott of New Hanover moved to amend section 17 of schedule B: Strike out "fifteen," in line 48, and insert "twenty-five" in lieu thereof. Lost.

Mr. Dortch moved to amend section 26, schedule B: Strike out in line 3 the words "less than a quart," and insert "of a gallon or less than a gallon." Adopted.

Mr. Scott of New Hanover moved to amend the section: Strike out "twelve months" and insert "three months," on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 8, noes 28, as follows:

Those voting in the affirmative were

Messrs. Carter, Hampton, Lockhart, Newsom, Pridgen, Respass, Scott of New Hanover and York—8.

Those voting in the negative were

Messrs. Bernard, Blue, Carr, Clarke, Cuninghame, Davidson, Dortch, Finger, Foil, Glenn, Hanes, Harper, Harris, King, Manning, McMillan, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Davie and Woodhouse—28.

Mr. Manning moved to amend the section: Strike out in line 11 the words "three dollars per month" and insert "thirty-six dollars per year in advance;" strike out in line 9, "five dollars per month," and insert "sixty dollars per annum in advance."

On the adoption of the amendment,

Mr. Respass demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 25, noes 4, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carr, Cuninghame, Davidson, Dortch, Finger, Foil, Glenn, Harper, King, Lockhart, Manning, McMillan, Merritt, Newland, Parish, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Williamson of Davie, and Woodhouse—25.

In the negative, Messrs. Hampton, Respass, Scott of New Hanover and York—4.

Mr. Tucker moved to amend the section : Insert after the words " twelve months " the words " nor for a longer period than one year." Lost.

Mr. Dortch moved to amend section 6, schedule C: Insert after the word " dollars " in line 5, the words " except that every bill to incorporate any railroad company or for the benefit thereof, or to amend any act relating to such company or corporation, shall be accompanied by the receipt of the State Treasurer for five hundred dollars, unless such bill relate to a railroad company in which the State is a stockholder, and unless such bill shall be reported by the chairman of a committee." Adopted.

The bill was taken up as a whole.

Mr. Tucker moved to amend section 19, schedule B: Add at the end of the section :

"Provided, That merchant tailors taking orders, with or without samples, shall pay the same tax, in the same manner as is required of drummers in this section."

Adopted.

Mr. Spruill moved to amend section 13, schedule B: Strike out " five " in line 2, and insert " twenty-five." Lost.

Mr. Respass moved to amend section 27, schedule B: Strike out in line 13 the word " fifty " and insert " fifteen." Lost.

Mr. Harris moved to amend section 18, schedule B : Add to the section :

"Provided, That nothing in this section or elsewhere in this act shall be construed to levy or to authorize the levying of any tax upon manufacturers of agricultural implements or their agents for selling any such implements of their own manufacture."

Adopted.

Mr. Oates moved to amend section 18, schedule B: Add:

“*Provided*, That nothing in this section shall be construed to tax or authorizing the taxing of peddlers of harness of their own manufacture.”

Adopted.

Mr. Stowe moved to amend section 11, schedule B: Strike out all after the word “dollars” in line 2. Lost.

The bill then passed its second reading, ayes 28, noes 8, as follows:

Those voting in the affirmative were

Messrs. Blue, Carr, Cuningham, Davidson, Dortch, Faison, Finger, Foil, Glenn, Hampton, Hanes, Harper, Harris, King, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Spruill, Staples, Tucker, Williamson of Davie and Woodhouse—28.

Those voting in the negative were

Messrs. Carter, Clarke, Pridgen, Respass, Spears, Stowe, Williamson of Edgecombe and York—8.

Mr. King presented a memorial, embodying resolutions of the board of county commissioners of Lenoir county, asking that the monument to be erected to the late Governor Richard Caswell be erected upon the court-house green in the town of Kinston. Placed on the Calendar.

SPECIAL ORDER.

H. B. 339, S. B. 784, bill to give aid to the people of the State by the establishment of three additional superior court districts, on its second reading, it being the second special order for to-day.

Pending consideration,

The hour of half-past two o'clock P. M., having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 8th, 1881.

The Senate met pursuant to adjournment.

Mr. Woodhouse was announced absent on account of sickness.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment,

H. B. 1067, S. B. 820, bill for the relief of the stockholders of the Spartanburg and Asheville Railroad Company. Placed on the Calendar.

Engrossed

H. B. 694, S. B. 821, bill to amend chapter 67, Private Laws of 1876-'77, to authorize the construction of a branch road from Haysville in Clay county to Addington's mills in Macon county. Placed on the Calendar.

H. B. 822, S. B. 822, bill to give sub-contractors and laborers a lien upon vessels for their just dues in loading and discharging vessels. Placed on the Calendar.

H. B. 630, S. B. 823, to authorize the mayor and commissioners of Elizabeth City in Pasquotank county to pave Main, Water and Road streets. Placed on the Calendar.

H. B. 868, S. B. 824, bill to incorporate the town of Pantego in the county of Beaufort. Placed on the Calendar.

H. B. 559, S. B. 825, bill to appoint cotton weighers for the town of Concord. Referred to the committee on Propositions and Grievances.

H. B. 915, S. B. 826, bill to amend chapter 57, Laws of 1874, an act to incorporate the town of Shelby. Placed on the Calendar.

H. B. 877, S. B. 827, bill to amend chapter 135, Laws of 1879. Placed on the Calendar.

H. B. 888, S. B. 828, bill to lay out and construct certain public roads in the county of Onslow. Placed on the Calendar.

H. B. 991, S. B. 829, bill to authorize the county of Cleveland to levy a special tax. Placed on the Calendar.

H. B. 784, S. B. 830, bill for the encouragement and support of the State Guard. Placed on the Calendar.

H. B. 897, S. B. 831, bill to lay off and establish a free turnpike in the county of Orange. Placed on the Calendar.

Without engrossment,

H. B. 995, S. B. 832, bill to amend chapter 264, Laws of 1879. Placed upon the Calendar.

H. B. 715, S. B. 833, bill to protect the fishing interests of Dare county. Placed on the Calendar.

H. B. 875, S. B. 834, bill to regulate the probate of deeds. Placed on the Calendar.

Engrossed

H. B. 894, S. B. 835, bill to amend section 6, chapter 59, Battle's Revisal. Placed on the Calendar.

H. R. 131, S. R. 836, resolution in favor of L. Branson. Placed on the Calendar.

Without engrossment,

H. B. 1054, S. B. 837, bill to extend the time for the registration of deeds and other conveyances. Placed on the Calendar.

H. B. 1036, S. B. 838, bill supplemental to an act to raise a monument to the late Gov. Caswell. Placed on the Calendar.

H. B. 1033, S. B. 839, bill to amend chapter 34, section 1, Laws of 1873-'74. Placed on the Calendar.

H. B. 1068, S. B. 840, bill to amend chapter 232, Laws of 1879. Placed upon the Calendar.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows :

From the committee on Judiciary :

By Mr. Clarke : S. B. 485, bill to amend chapter 34, section 1, Laws of 1873-'74, recommending it do not pass.

S. B. 429, bill to repeal sections 1, 2, 3, 4, 6 and 7, chapter 142, Laws of 1879, recommending it do not pass.

By Mr. Staples : S. B. 445, bill to compel all railroads to pay State and county taxes, recommending it do not pass.

From the committee on Internal Improvements :

By Mr. Staples : S. B. 585, bill to amend chapter 294, Laws of 1879, reporting it back without recommendation.

From the committee on Propositions and Grievances :

By Mr. Battle : H. R. —, S. R. 764, resolution of instruction to our Senators and Representatives in Congress, recommending it do pass.

H. B. 87, S. B. 799, bill relating to bringing stock from other States into this State, recommending it do pass.

H. B. 945, S. B. 804, bill to authorize the commissioners of Madison county to pay the county indebtedness in bonds, recommending it do pass.

UNFINISHED BUSINESS.

H. B. 339, S. B. 784, bill to give aid to the people of the State by the establishment of three additional Superior Court districts, was taken up on its second reading, it being the unfinished business of this morning.

Mr. Davidson demanded the previous question, which was sustained.

On the passage of the bill its second reading,

Mr. York demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 21, noes 17, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Carter, Clarke, Davidson, Dortch, Faison, Foil, Hanes, Harper, Harris, King, Merritt, Oates, Pridgen, Scott of New Hanover, Spears, Tucker, Whitaker, Williamson of Davie and Williamson of Edgecombe—21.

Those voting in the negative were

Messrs. Blue, Carr, Cuninghame, Glenn, Gudger, Hampton, Jones, Lockhart, Manning, Mebane, Newland, Parish, Respass, Richardson, Spruill, Stowe and York—17.

Mr. Dortch moved the rules be suspended and the bill put upon its third reading. The motion did not prevail, two-thirds of the Senators not voting therefor.

SPECIAL ORDER.

S. B. 667, bill to prohibit the manufacture and sale of spirituous and malt liquors, was taken up on its second reading, it being the special order for this hour.

Mr. Merritt moved to amend: Strike out section 7, and insert in lieu thereof:

“SEC. 7. This act shall be in force from and after the first day of January, 1882.”

On which, Mr. Williamson of Edgecombe asked the ayes and noes, which were ordered, and the amendment was lost, ayes 5, noes 32, as follows:

Those voting in the affirmative were

Messrs. Carr, Faison, Gudger, Merritt and Spears—5.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Carter, Clarke, Cuninghame, Davidson, Dortch, Finger, Foil, Hampton, Hanes, Harper, Harris, Lockhart, Manning, Mebane, Newland, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Williamson of Edgecombe and York—32.

Mr. Staples moved to amend section 2: Strike out all after the word "purposes," in line 8, down to and including "license," in line 10. Amend section 3: Strike out all after the word "physician," in line 4, down to and including the word "applying," in line 5. Adopted.

Mr. Davidson moved to amend section 3, by adding at the end of the section:

"But no druggist, apothecary or physician shall be licensed to sell any of the spirituous or malt liquors herein mentioned until he has executed and given to the board of commissioners of the county wherein the liquors are proposed to be sold, a bond with good and sufficient security, to be duly justified, in a sum of not less than five hundred dollars and not more than five thousand dollars, conditioned that he will faithfully comply with and perform all the requirements and conditions of this act. The said bond shall be recorded and filed as in cases of official bonds; and whenever the said commissioners shall have reason to believe that the party so licensed has violated any of said conditions or provisions, they may put the same in suit and prosecute to judgment; and in addition thereto, they may for good cause revoke said license, first giving to the holder thereof at least two days' notice of the time when a motion to revoke will be made."

On which, Mr. Respass demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 23, noes 13, as follows:

Those voting in the affirmative were

Messrs. Battle, Carr, Clarke, Cuninghame, Davidson, Faison, Finger, Hanes, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Spears, Stowe, Tucker and Williamson of Davie—23.

Those voting in the negative were

Messrs. Bernard, Carter, Dortch, Foil, Gudger, Hampton,

Pridgen, Respass, Scott of New Hanover, Staples, Whitaker, Williamson of Edgecombe and York—13.

Mr. Whitaker moved to amend: Strike out section 5.

On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 18, noes 20, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carter, Clarke, Dortch, Finger, Foil, Hampton, Hanes, Harper, Oates, Pridgen, Respass, Scott of New Hanover, Staples, Whitaker, Williamson of Edgecombe and York—18.

Those voting in the negative were

Messrs. Battle, Carr, Cuninghame, Davidson, Faison, Gudger, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Parish, Richardson, Scott of Rockingham, Spears, Spruill, Stowe, Tucker and Williamson of Davie—20.

Mr. Respass moved to amend: Add a new section to be

“SECTION 8. That this bill shall be voted on by counties, and those counties voting a majority for prohibition shall be entitled to the benefits thereof; those voting against it shall not be included under the provisions of this act.”

On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 16, noes 21, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Carter, Clarke, Cuninghame, Dortch, Foil, Hampton, Manning, Oates, Respass, Richardson, Scott of New Hanover, Spruill, Williamson of Edgecombe and York—16.

Those voting in the negative were

Messrs. Battle, Carr, Davidson, Faison, Finger, Gudger, Hanes, Harper, Lockhart, Mebane, Merritt, Newland, Parish, Pridgen, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker, and Williamson of Davie—21.

Mr. Lockhart moved to amend section 7 by striking out in lines 8 and 9 the words, "committed prior to the meeting of the next General Assembly." Adopted.

Mr. York moved to amend section 7 by striking out in line 2 the words, "the first day of May," and insert "the first day of October." Adopted.

On the passage of the bill its second reading,

Mr. Williamson of Edgecombe demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 32, noes 6, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Carr, Clarke, Cuninghame, Davidson, Faison, Finger, Foil, Gudger, Hampton, Hanes, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker, Whitaker and Williamson of Davie—32.

Those voting in the negative were

Messrs. Carter, Dortch, Respass, Spruill, Williamson of Edgecombe and York—6.

Mr. Harris moved the rules be suspended and the bill put upon its third reading.

Mr. Scott of New Hanover moved to adjourn. Lost.

The rules were suspended and the bill put on its third reading.

Mr. Hanes offered a substitute for the bill. Lost.

Mr. Whitaker moved to amend by striking out section 5. Lost.

Mr. Staples moved to amend: Strike out the amendment to section 3, offered by Mr. Davidson. Lost.

Mr. Williamson of Edgecombe moved to amend: Insert,

"*Provided*, This act shall not apply to those counties east of the Blue Ridge mountains."

Lost.

The bill then passed its third reading, ayes 28, noes 10, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Carr, Clarke, Cuninghame, Davidson, Faison, Finger, Gudger, Hampton, Harper, Harris, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Stowe, Tucker and Williamson of Davie—28.

Those voting in the negative were

Messrs. Blue, Carter, Dortch, Foil, Hanes, Respass, Spruill, Whitaker, Williamson of Edgecombe and York—10.

On motion of Mr. Staples,

H. B. 108, S. B. 784, bill for the prevention of cruelty to animals, was taken from the table and placed on the Calendar.

At the hour of eleven o'clock P. M., on motion, the Senate adjourned.

FIFTY-FIFTH DAY.

SENATE CHAMBER, March 9th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

Messrs. Burwell, Jones, McMillan and Woodhouse asked to be entered upon the Journal as favoring

S. B. 667, bill to prohibit the manufacture and sale of spirituous and malt liquors in this State, which passed its several readings yesterday. Had they been present they would have voted in the affirmative.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Tucker: H. B. 936, S. B. 761, bill to establish a criminal district of North Carolina, recommending it do not pass.

From the committee on Propositions and Grievances:

By Mr. Jones: H. B. 821, S. B. 756, bill to make Trent river a lawful fence to a certain point in Jones county, recommending it do not pass.

S. B. 691, bill to encourage the improvement of highways in Mecklenburg county, recommending it do not pass.

S. B. 692, bill in relation to the working of roads, recommending it do not pass.

From the committee on Finance:

By Mr. Manning: S. R. 93, resolution in behalf of disabled and maimed soldiers, reporting a substitute, and recommending the substitute do pass.

S. B. 659, bill to amend section 32, revenue bill 1879, recommending it do not pass.

From the committee on Engrossed Bills:

The committee on Engrossed Bills reported as properly engrossed

S. B. 525, bill for the protection of partridges and certain other birds in North Carolina;

S. B. 392, bill to amend section 30, chapter 70, Laws of 1879;

S. B. 667, bill to prohibit the manufacture and sale of spirituous and malt liquors;

Senate amendment to

H. B. 660, S. B. 773, bill for the support of the Penitentiary;

Senate amendment to H. B. 643, S. B. 767, bill to provide for the levying and collection of taxes;

Senate amendment to

H. B. 912, S. B. 806, bill to raise revenue.

Mr. Scott of Rockingham from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled :

S. B. 744, H. B. 1022 an act supplemental to an act to pay certain school orders in Johnston county, ratified January 31, 1881 ;

S. B. 743, H. B. 1020, an act to change the time of holding the Superior Courts of the counties of Nash and Wilson in the third judicial district ;

S. B. 575, H. B. 975, an act to amend chapter 163, Laws of 1871-'72 ;

H. B. 856, S. B. 763, an act to establish a graded school in the town of Durham ;

S. B. 720, H. B. 954, an act to allow R. S. Williams and Joseph Pointer, Jr., executors of Joseph Pointer, Sr., dec'd, to collect arrears of taxes ;

S. B. 435, H. B. 932, an act to incorporate the Paper and Pulp Works ;

H. B. 699, S. B. 680, an act to keep the channels of Haw river, Reedy Fork, Deep river, North and South Buffalo and their tributaries in Guilford county, free from fallen timber and drift wood ;

H. B. 478, S. B. 798, an act to authorize the commissioners of Tyrrell county to open public roads and to furnish to said county convict labor to aid in their construction ;

S. B. 472, H. B. 963, an act to amend the charter of the town of Plymouth, Washington county ;

H. B. 761, S. B. 652, an act to incorporate Mill Creek Lodge, No. 125, Free and Accepted Masons ;

H. B. 1004, S. B. 805, an act in regard to the collection of taxes in Robeson county ;

S. B. 492, an act to incorporate the Atlantic and French Broad Valley Railway Company ;

H. B. 943, S. B. 735, an act to be entitled an act to incorporate the Alma and Little Rock Railroad Company ;

S. B. 470, H. B. 843, an act to authorize the board of county commissioners of Washington county to levy a special tax ;

H. B. 495, S. B. 710, an act to amend chapter 107 of the Laws of 1874-'75, relating to the town of LaGrange in the county of Lenoir ;

H. B. 153, S. B. 372, an act to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal Company for the bonds of the State ;

H. B. 603, S. B. 709, an act to protect the public bridges on the Scuppernong river at Columbia and the Cross Landing and Alligator creek in Tyrrell county ;

S. B. 674, H. B. 988, an act to amend chapter 72, Private Laws of 1876-'7 ;

H. B. 522, S. B. 702, an act to amend section 8, chapter 30, Laws of Special Session of 1880 ;

H. B. 296, S. B. 316, an act to protect partridges in the county of Wake ;

S. B. 266, H. B. 620, an act to amend chapter 200 of the Laws of 1879 ;

S. B. 745, H. B. 1025, an act to authorize the board of commissioners of Halifax county to order the payment of certain school claims ;

H. B. 638, S. B. 716, an act to allow the commissioners of Watauga county to levy a special tax ;

H. B. 484, S. B. 681, an act to authorize the county commissioners of Greene county to levy a special tax ;

H. B. 763, S. B. 682, an act to incorporate Rising Sun Lodge of the Independent Order of Immaculates ;

H. B. 776, S. B. 770, an act to equalize the compensation of Judges of the Superior Courts ;

S. B. 102, H. B. 385, an act to amend chapter 325 of the Laws of 1879, entitled an act to provide a fund for the payment of jurors ;

H. B. 409, S. B. 630, an act to abolish fences in Wake county ;

H. B. 986, S. B. 729, an act to prevent live stock from running at large in certain parts of Nash county ;

H. B. 305, S. B. 504, an act to prohibit the sale of ardent spirits to minors ;

H. B. 300, S. B. 644, an act to ascertain the indebtedness of Chowan county ;

H. B. 476, S. B. 711, an act to amend chapter 34, Laws of 1880 ;

H. B. 867, S. B. 715, an act requiring the county commissioners of Wake to pay Mrs. Osborne \$175.50 for feeding a jury of Wake county ;

H. B. 207, S. B. 362, an act to amend chapter 30 of the Laws of North Carolina, ratified 29th day of March, 1880, entitled an act to amend chapter 82 of the Laws of 1879, entitled an act to provide for keeping in repair the public roads of the State ;

S. B. 667½, H. B. 935, an act to incorporate the Asheville Railway Company ;

S. B. 415, H. B. 805, an act to authorize the employment of a clerk in the Executive Department ;

H. B. 1001, S. B. 791, an act concerning justices of the peace in the county of Durham ;

S. B. 693, H. B. 978, an act to prevent the felling of timber in North Toe river, and Cane creek, in Mitchell county, North Carolina ;

H. B. 735, S. B. 705, an act to secure the better drainage of the low lands of Beaver Dam, in Sampson county ;

H. B. 1043, S. B. 555, an act to amend chapter 168, Laws of 1879 ;

H. R. 135, S. R. 749, a resolution in favor of J. J. Laney ;

H. B. 774, S. B. 651, an act to incorporate the Bingham School Trust Fund ;

H. B. 831, S. B. 678, an act to charter the Louisburg Railroad Company ;

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and were disposed of as follows:

By Mr. Burwell: S. B. 842, bill to amend Battle's Revisal, chapter 12, in relation to Building Associations. Placed on the Calendar.

By Mr. Respass: S. R. 843, resolution for the benefit of the clerk to committee on Justices of the Peace. Referred to the committee on Finance.

On motion of Mr. Manning,

H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrearage of taxes, was taken from the table and placed on the Calendar.

On his further motion, the rules were suspended, the bill was taken up, passed its second reading, and was put on its third reading.

Mr. Stowe moved to amend by inserting "B. F. Logan, sheriff of Cleveland." Adopted.

Mr. Hampton moved to amend: Add "Samuel H. Taylor, sheriff of Surry county." Adopted.

Bill then passed its third reading, and the amendments were ordered engrossed.

On motion of Mr. Scott of New Hanover,

H. B. 822, S. B. 822, bill to give sub-contractors and laborers a lien upon vessels for their just dues in loading and discharging vessels, was taken up on its second reading.

On motion of Mr. Stowe, the bill was referred to the committee on Judiciary.

The Calendar was taken up.

H. B. 915, S. B. 826, bill to amend chapter 57, Laws of 1874, an act to incorporate the town of Shelby, passed its second reading, ayes 30, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Bernard, Burwell, Cuninghame, Davidson, Dortch, Faison, Finger, Foil, Gudger, Hampton,

Hanes, Jones, Lockhart, McMillan, Mebane, Merritt, Newland, Oates, Parish, Pridgen, Richardson, Spears, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—30.

H. B. 991, S. B. 829, bill to authorize the commissioners of Cleveland county to levy a special tax, passed its second reading, ayes 25, noes 1, as follows :

Those voting in the affirmative were

Mesrs Battle, Bernard, Blue, Burwell, Cuningham, Dortch, Faison, Finger, Foil, Hampton, Hanes, Jones, Lockhart, McMillan, Mebane, Merritt, Oates, Parish, Pridgen, Richardson, Stowe, Tucker, Williamson of Davie, Woodhouse and York—25.

In the negative, Mr. Spears—1.

S. R. 778, resolution for the relief of the night watchman of the Capitol, passed its several readings and was ordered sent to the House without engrossment.

H. B. 671, S. B. 775, bill to amend the charter of the town of Mount Olive in the county of Wayne, passed its third reading, ayes 31, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuningham, Dortch, Faison, Finger, Foil, Glenn, Gudger, Hanes, Jones, Lockhart, McMillan, Merritt, Newland, Oates, Parish, Pridgen, Respass, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—31.

By consent,

Mr. Dortch reported from the committee on Judiciary :

H. B. 822, S. B. 822, bill to give sub-contractors and laborers a lien upon vessels for their just dues in loading and discharging vessels, recommending it do pass.

Mr. Whitaker reported from the Judiciary committee :

S. B. 654 $\frac{1}{2}$, bill to amend the Code of Civil Procedure in relation to limitations of actions, recommending it do not pass.

The Calendar was resumed.

H. B. 912, S. B. 806, bill to raise revenue, on its third reading.

Mr. Newland offered an amendment, which was lost.

Mr. Cuningham demanded the previous question, which was sustained.

The bill then passed its third reading, ayes 25, noes 12, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Cuningham, Faison, Finger, Foil, Glenn, Gudger, Hampton, Harper, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Oates, Parish, Richardson, Scott of Rockingham, Spruill, Tucker, Williamson of Davie and Woodhouse—25.

Those voting in the negative were

Messrs. Clarke, Dortch, Hanes, McMillan, Pridgen, Respass, Scott of New Hanover, Stowe, Whitaker, Williamson of Edgecombe, Wynne and York—12.

H. B. 898, S. B. 768, bill concerning representation in the Senate, was taken up on its second reading.

On motion of Mr. Staples, the bill was postponed until 12 M. to-day, and made the special order for that hour.

H. B. 335, S. B. 688, bill for classifying the railroads in this State and for other purposes, was taken up; and

On motion of Mr. Williamson of Edgecombe, the bill was postponed until 1 P. M. to-day, and made the special order for that hour.

H. B. 339, S. B. 784, bill to give aid to the people of the State by the establishment of three additional superior court districts, was taken up on its third reading.

On motion of Mr. Dortch, the bill was postponed until half-past seven o'clock this evening, and made the special order for that hour.

H. B. 523, S. B. 780, bill to protect laborers and mechanics employed and persons injured in person or prop-

erty by railroad companies, was, on motion of Mr. Burwell, laid on the table.

H. B. 985, S. B. 811, bill to prohibit the sale of intoxicating liquors in certain localities, on its second reading.

Mr. Williamson of Davie moved to amend: Strike out in section 1 the words "Dobson in the county of Surry." Adopted.

Mr. Williamson of Edgecombe moved to amend by adding: "*Provided*, This act shall not apply to Edgecombe county. *And, provided, further*, That any law heretofore enacted prohibiting the sale of spirituous liquors near any church or school-house in Edgecombe county is hereby repealed, except Draughan's school-house." Adopted.

Mr. Cunningham moved to amend: Strike out in section 2 "Ephesus Baptist church in Person county," and insert in section 3 "Ephesus Baptist church in Person county." Adopted.

Mr. Bernard moved to amend: Insert in section 2 "Timothy church in Pitt county." Adopted.

Mr. Respass moved to amend by adding: "*Provided*, That nothing in this act shall apply to the county of Beaufort." Adopted.

Mr. Whitaker moved to amend: Insert in section 1 the words "Conoconary church in Halifax county." Adopted.

Mr. Finger moved to amend: Insert in section 2 "Rehoboth M. E. church, South, in Catawba county." Also insert in section 2 after "M. E. Zion church in Catawba county," the words "during the time of holding the meetings for divine service." Adopted.

Mr. Spears moved to amend: Strike out "the Methodist, Baptist, Presbyterian and Roman Catholic churches in the town of Laurinburg, Richmond county," and insert in lieu thereof the following: "Within two miles of Powelton school-house, Steele's township, Richmond county." Adopted.

Mr. Spruill moved to amend: Strike out "Lewiston, Roxabel, Merry Hill, Powelville and Cedar Landing, Bertie county." Adopted.

Mr. Glenn moved to amend section 1 by inserting "Baptist church in Waughtown, Forsyth county." Adopted.

Mr. Hampton moved to amend: Strike out in section 8 "Male Academy in Mount Airy." Adopted.

Mr. Williamson of Davie moved to amend section 2 by adding "Fork church in Davie county." Adopted.

The bill then passed its second reading and was put upon its third reading.

On motion of Mr. Manning, the bill was postponed until 9 o'clock this evening, and made the special order for that hour.

On motion of Mr. Whitaker,

H. B. 936, S. B. 761, bill to establish a criminal district in North Carolina, was taken up on its second reading.

On motion of Mr. Whitaker, the bill was indefinitely postponed.

SPECIAL ORDER.

H. B. 898, S. B. 768, bill concerning the representation in the Senate, was taken up on its second reading, it being the special order for this hour.

Mr. Davidson moved to amend: Substitute the following apportionment and arrangement for the Fortieth and Thirty-sixth Districts:

The counties of Burke, Mitchell and Caldwell shall constitute one district with one Senator; McDowell, Yancey and Madison one district with one Senator; and the county of Buncombe shall constitute one district with one Senator."

Lost.

Mr. Mebane moved to amend the apportionment for the Fifteenth district by striking out the word "one" and inserting "two;" amend the apportionment for the Twenty-fourth district by striking out the word "one" and inserting

the word "two." On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 15, noes 19, as follows:

Those voting in the affirmative were

Messrs. Burwell, Carr, Cuningham, Glenn, Gudger, Hampton, Hanes, Jones, McMillan, Mebane, Respass, Staples, Stowe, Woodhouse and York—15.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Clarke, Dortch, Faison, Finger, Foil, Harper, Lockhart, Manning, Merritt, Newland, Oates, Richardson, Scott of New Hanover, Spears, Tucker and Williamson of Edgecombe—19.

Mr. Respass moved to amend "so as to allow the counties of Pitt, Beaufort, Martin and Hyde to compose a Senatorial district, and to be allowed two Senators." Lost.

On the passage of the bill its second reading,

Mr. Staples demanded the ayes and noes, which were not ordered.

The bill passed its second reading on division, ayes 21, noes 10.

H. B. 335, S. B. 688, bill to provide for classifying the railroads in this State and for other purposes, was taken up, and,

On motion of Mr. Williamson, the bill was postponed until this evening at 8 o'clock, and made the special order for that hour.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House proposing to go into an election of Justices of the Peace to-day at half-past one o'clock P. M. The proposition was concurred in.

A message was ordered sent to the House informing that honorable body that upon the return of the messenger, the Senate would proceed to the election of Justices of the Peace.

The President appointed Messrs. Respass and Battle as

tellers on the part of the Senate to superintend said election.

Mr. Respass, for committee on nominations of Justices of the Peace, reported :

The joint committee to whom was referred the nominations for Justices of the Peace for the several counties of the State, to fill the vacancies of such Justices of the Peace whose terms expire in August, 1881, having performed their duty, respectfully recommend that the following persons be elected by this General Assembly as Justices of the Peace to fill such vacancies as will occur in August, 1881, in the several townships in the various counties of the State.

The committee would further report, that new townships have been created since the last election of Justices of the Peace, and in all such cases this committee have made nominations as required by law so to do, specifying such as new townships.

The census just taken develops several incorporated towns entitled under the law establishing county governments to additional Justices of the Peace, in which cases this committee have made recommendations accordingly, as also for all newly incorporated towns.

Wherever there have been new counties created, this committee has also made its recommendations for Justices of the Peace for the same.

JAMES T. RESPASS, Ch'm'n.

JNO. A. OATES,

J. W. GUDGER,

Senate Branch of Committee.

D. WORTHINGTON, Ch'm'n.

E. T. BOYKIN,

H. MCEACHERN,

J. F. RAY,

D. B. NICHOLSON,

House Branch of Committee.

ALAMANCE COUNTY.

Albright's township, D. S. Thompson; Boon Station township, Andrew Summers; Cobel township, E. S. Eulis; Faucett's township, Wm. J. Murray; Graham township, W. H. Trolinger; Melville township, C. Sellers; Morton township, Coley Brand; Newlin township, David Moore; Patterson township, Sylvester Spoon; Pleasant Grove township, E. Clay Murray; Thompson's township, H. M. Cates.

ALEXANDER COUNTY.

Ellendale township, F. B. Rees; Gwaltney's township, A. C. Jones; Little River township, A. B. Oxford; Miller's township, D. T. Pritchard; Sharpe's township, T. J. Sharpe; Sugar Loaf township, Wm. S. Daniel; Taylorsville township, W. J. Harrington; Wittenburg's township, W. W. Fry.

ALLEGHANY COUNTY.

Cherry Lane township, J. F. Roberts; Cranberry township, J. S. Miller; Glade Creek township, Clarke Higgins; Gap Civil township, George McRives; Prather's township, Nathan Weaver; Piney Creek township, W. H. Billings.

ANSON COUNTY.

Ansonville township, Stephen H. Giddy; Burnsville township, Hosea P. Maggs; Gulledege's township, John Robinson; Lanesboro township, W. A. Allen; Lilesville township, Will. T. Smith; Morvin township, Vincent Parsons; Wadesboro township, Walter J. Barber; White's Store township, Wm. A. Barrett.

ASHE COUNTY.

Chestnut Hill township, J. G. Osborn ; Hilton's township, Marshal S. Malf ; Horse Creek township, W. J. Stansbury ; Jefferson township, Thos. Calvert ; Laurel township, B. H. Neal ; Old Field township, Joseph Church ; Peak Creek township, Sidney Hutton ; Piney Creek township, Jas. D. Brooks ; Pine Swamp township, Wm. H. Calvert ; North Fork township, Joseph Johnson ; Stag Creek township, Porter Ashley.

BEAUFORT COUNTY.

Bath township, Geotha Wilkins, Wm. Campbell and Wm. Gaylow ; Chocowinity township, W. T. Windfield and W. H. Patrick ; Long Acre township, Marshall Congleton, Jas. W. Bowen and Jas. T. Windley ; Pantego township, Geo. Swindell and Alfin Jones ; Richland township, Edward Tultnie and Burton Stilley ; Washington township, F. S. Hoyt and N. S. Fulford.

BERTIE COUNTY.

Colerain township, D. A. Walford and Norfleet Green ; Merry Hill township, Jas. Truman ; Roxabel township, W. R. Capehart and Reginald Norfleet ; Snakebite township, W. J. Cherry ; Windsor, W. M. Sutton and R. C. Bazemore ; White's township, W. G. Cobb , Woodville, W. J. Spivey ; Indian Woods (new township), Peter Roscoe, Turner C. Bond, Jas. J. Migell.

BLADEN COUNTY.

Abbottsburg township, Robt. J. McErwin ; Bethel township, C. W. Lyon ; Bladenboro township, Chas. W. Williams ; Brown Marsh township, J. A. Kelly ; Carrow's Creek town-

ship, John C. Daniel ; Coley township, John A. McKay ; Cypress Creek township, W. K. Cromartie ; Elizabeth township, J. W. Cromartie ; French's Creek township, John F. Croom ; Hawler township, Evander N. Robeson ; Lake Creek township, W. Erwin Shaw ; Turnbull township, Richard W. Tatum ; White's Creek township, John Q. Elkins ; White Oak township, Abram G. Davis.

BRUNSWICK COUNTY.

Lickwood's Folly township, George Leonard ; North-west township, Henry Spencer ; Shallotte township, John H. Mints ; Smithville, Thos. M. Williams ; Town Creek township, A. V. Goodman ; Waccamaw, Christopher C. Little.

BUNCOMBE COUNTY.

Township No. 1, A. N. Cressman ; township No. 2, A. H. Filmat ; township No. 3, B. L. Morgan ; township No. 4, F. Sluder, Sr. ; township No. 5, L. L. Childs ; township No. 6, Riley Powers ; township No. 7, Jason Ashworth ; township No. 8, S. W. Davidson, Sr. ; township No. 9, C. B. Way and Owen Smith ; township No. 10, Wm. R. Baird ; township No. 11, E. C. Chambers ; township No. 12, Jas. H. Woodward ; township No. 13, Cary Ellison.

BURKE COUNTY.

Silver Creek township, John A. Epley ; Linville township, C. D. Giles ; Upper Creek township, John Nance ; Quaker Meadow township, Wm. N. Winters ; Lower Creek township, W. S. Sudderth ; Lovelady township, J. A. Huffman ; Icard township, H. A. Adams ; Lower Fork township, Riley Talent ; Upper Fork township, John P. Denton ; Morganton township, C. A. Sheeping ; Brindletown, H. C. Fisher.

CABARRUS COUNTY.

Township No. 1, H. B. Parks; township No. 2, J. B. Harris; township No. 3, Kerby Pope; township No. 4, C. M. B. Goodnight; township No. 5, John A. Fink; township No. 6, John M. Faggart; township No. 7, J. L. Peck; township No. 8, T. A. Moser; township No. 9, W. H. Orchard; township No. 10, W. A. Bost; township No. 11, C. E. Sides; township No. 12, Jas. N. Brown.

CALDWELL COUNTY.

Lenoir township, Lafayette F. Houk; Lower Creek township, Jason C. Hartley; Lovelady township, George W. Hayes; Little River township, Sion H. Oxford; King's Creek township, Levy Earnest; Buffaloe township, Thomas Pipes; Patterson township, William Land; Globe township, Jesse Moore; John's River township, John R. Webb.

CAMDEN COUNTY.

Shiloh township, Joseph D. Berry; Court-house township, H. W. Scott; South Mills township, John C. Tatem.

CARTERET COUNTY.

White Oak township, John W. Sanders and R. W. Humphrey; Morehead township, Wm. S. Bell, Sr.; Newport township, William Hardesty; Beaufort township, William Alexander; Straits township, Divine S. Guthrie; Smyrna township, Nathan Davis and Melven D. Willis; Hunting Quarters township, Tillman F. Rose, Portsmouth, Thos. Gaskill.

CASWELL COUNTY.

Milton township, N. M. Richmond; Dan River township

Samuel S. Harrison ; Pelham township, J. A. Pierce ; Locust Hill township, W. B. Johnson ; Yanceyville township, H. F. Brandon ; Leesburg township, A. B. Newman ; High Tower township, John W. Allen ; Anderson's township, John S. Miles ; Stoney Creek township, A. J. Thompson.

CATAWBA COUNTY.

Newton township, George W. Coulter ; Cline's township, Q. M. Smith and Calvin Sigmon ; Catawba township, John Danner and S. C. Brown ; Mountain Creek township, Wm. A. Day ; Caldwell township, H. H. Caldwell and John W. Williams ; Jacob's Fork township, Geo. M. Yoder ; Bandy township, M. F. Hull and G. P. Clay ; Hickory township, D. H. Tuttle and Samuel E. Killiam.

CHATHAM COUNTY.

Albright's Township, W. B. Carter ; Baldwin township, Thos. B. Farrar ; Bear Creek township, John W. Calder ; Cape Fear township, Wm. S. Gunter ; Centre township, Robt. M. Burns ; Hadley's township, John E. Perry ; Matthew's township, Josephus A. Gilliland ; Hickory Mountain township, Isaac T. Brooks ; Gulf township, James T. Rives ; Oakland township, Carson Johnson ; New Hope township, Lemuel Ellis ; Williams township, P. M. Pearson.

CHEROKEE COUNTY.

Murphy township, S. W. Davidson and John Henesse ; Valley Town township, Hugh Collett ; Beaver Dam township, C. C. Berry ; Shoal Creek township, A. S. Hill and A. J. Sedford ; Hot House township, J. B. Fain ; Notla township, A. E. Evans and J. A. Heddin.

CHOWAN COUNTY.

Edenton township, John C. Pearce; Yeopim township, Petro M. Warren; Middle township, Wm. P. Jones; Upper township, Wm. T. Woody.

CLAY COUNTY.

Haysville township, J. J. Scroggs; Brasstown township, Bennett Langham; Tusquitte township, T. J. Johnson; Shooting Creek township, W. H. Hogshead; Hiwassee township, T. J. Ledford.

CLEVELAND COUNTY.

Township No 1, J. T. Ray; township No. 2, O. W. Holland; township No. 3, T. A. Bridgers; township No. 4, D. J. Hardin; township No. 5, J. R. Moss; township No. 6, E. B. Jennings; township No. 7, Z. McKinney; township No. 8, R. G. Wells; township No. 9, David R. Hoyle; township No. 10, W. H. Thompson; township No. 11, W. J. Morrison.

COLUMBUS COUNTY.

Ransom township, G. B. Robertson; Lake Waccamaw township, M. Campbell; Bogue township, James P. Pearce; Welch's township, James M. Shipman; Whiteville township, L. W. Stanley; Western Prong township, Donald McNeil; Tatum's township, A. M. Benton; Fair Bluff township, Burrell Smith; Williams township, M. M. Harralson and Em'l Wright; Bug Hill township, E. W. Fowler; Lee's township, J. W. Gore.

CRAVEN COUNTY.

Township No. 1, Edward Whitford; township No. 2,

Samuel W. Latham: township No. 3, R. A. Russell 6 years, F. P. Outlaw 4 years, Wm. Griffin 2 years; township No. 4, ————; township No 5, Wm. P. Stanton; township No. 6, A. J. Chestnut; township No. 7, George D. Conner; township No. 8, Enock Wadsworth; township No. 9, W. B. Lane.

CUMBERLAND COUNTY.

Seventy-first township, Duncan Shaw; Rock Fish township, Wm. Buil; Gray's Creek township, Neill McQueen; Quwhiffle township, Duncan K. McDuffie; Cross Creek township, A. M. Campbell; Little River township, A. A. Johnson; Cedar Creek township, T. J. Parker; Flea Hill township, W. J. Sessoms 4 years; Allen McCaskill; Black River township, Isaac W. Goodwin; Beaver Dam township, Nathan Jones; Carver's Creek township, W. J. Adams.

CURRITUCK COUNTY.

Moyock township, H. H. Simmons; Crawford township, S. P. Wilson; Trentville township, Samuel J. Waterfield; Poplar Branch township, G. G. Gallop; Atlantic township, B. D. Tillett.

DARE COUNTY.

Hatteras township, George L. Fulcher; Kennekeet and Chickamacomeco township, H. C. Miller; Nagshead and Roanoke township, C. J. Dough; Croatan and Stumpy Point township, A. S. Hooper; East Lake township, Wm. Dough.

DAVIDSON COUNTY.

Lexington township, A. A. Yarborough; Cotton Grove township, Alex. F. Smith; Boone township, G. F. Smith, Sr.;

Tyro township, J. H. Michael; Yadkin township, J. H. Walser; Clemmons ville township, John A. Farrabee; Arcadia township, G. W. Burke; Yadkin Bend township, John S. Delap; Bethany township Hugh W. Lindsay; Healing Spring township, James H. Daniel; Abbott's Creek township, Jacob Yokeley; Alleghany township, C. L. Bailey; Thomasville township, W. H. Conrad; Jackson Hill township, Spencer Wood; Conrad Hill township, Sol. B. Love, 2 years, John M. McKie, 4 years; Emmons' township, Levi Beck; Silver Hill township, Zeno Tussy.

DAVIE COUNTY.

Mocksville township, W. F. McMahon; Jerusalem township, Amos Daniel; Fulton township, H. E. Robertson; Farmington township, W. K. Gibbs; Clarksville township, F. M. Hendrix; Calahan township, Beal James.

DUPLIN COUNTY.

Kenansville township, J. E. Matthews; Limestone township, William Sandlin; Cypress Creek township, Nicanor James; Island Creek township, J. E. Pigford; Rock Fish township, J. J. Ward and W. B. Southerland; Warsaw township, T. M. Moon and James K. Smith; Faison township, J. B. Oliver; Wolfescrape township, Thadeus Jones; Albertson's township, N. B. Outlaw; Deal's township, Gaston Kelly; Smith's township, J. R. Miller; Magnolia township, J. D. Usher.

EDGECOMBE COUNTY.

Township No. 1, James S. Pippen, E. D. McNair; township No. 2, E. Cromwell Knight; township No. 3, Thomas L. Mayo; township No. 4, Walter Thigpen; township No. 5, Silas E. Warren; township No. 6, Marcus J. Battle; town-

ship No. 7, James K. Lawrence; township No. 8, S. R. Moore; township No. 9, Elisha Harrell; township No. 10, John I. Lewis; township No. 11, Spencer L. Hort; township No. 12, W. O. Bullock; township No. 13, Solomon Cherry; township No. 14, Samuel H. Thorne.

FRANKLIN COUNTY.

Louisburg township, G. G. Gill; Franklinton township, F. H. Conyers; Freeman's township, George Winston; Haysville township, P. A. Bobbitt; Gold Mine township, A. D. Williams; Cedar Rock township, Jos. Cooke; Cypress Creek township, G. W. Harris; Dunn's township, F. P. Pearce; Harris' township, Lee Perry; Sandy Creek township, P. A. Davis.

FORSYTH COUNTY.

Winston township, R. D. McCuestru and J. F. Griffith, 4 years; South Fork township, Theo. Kimmell; Old Town township, C. H. Hauser; Broad Bay township, Rowan Charles, 2 years, William Shepherd, 4 years, Charles Rothruck, 6 years; Abbott's Creek township, John Shannel and Joseph Wicker; Middle Fork township, J. H. Cox, 2 years, and Calvin Crews; Kernersville township, George W. Wilson, 2 years, John Sapp, 4 years, John Ray, 6 years; Belo's Creek township, Fuel Fulton, 2 years, Joseph Fulp, 4 years; Salem Chapel township, Henry Marshall; Bethania township, John A. Anderson, 2 years, William Lehman, 4 years, John G. Hill, 6 years; Old Richmond township, Thomas Moser; Vienna township, Columbus Spinckes; Lewisville township, J. P. Benkley, 2 years, W. G. Hauser, 4 years.

GASTON COUNTY.

Cherryville township, J. J. McGinnis, 2 years, Bennet

Carpenter, 4 years; Dallas township, J. H. Rutledge; River Bend township, W. B. Rutledge; South Point township, Enos M. Berry; Crowder's Mountain township, K. J. Kennedy, 2 years, James Carzan, 4 years, William Wilson, 6 years.

GATES COUNTY.

Gatesville township, James A. Harrell; Hall township, James A. Sparkman; Reynoldson township, John J. Gatling; Haslett township, William H. Reddick; Holly Grove township, Elijah Williams; Hunter's Mill township, W. H. Manning; Wintonville township, John Brady.

GRAHAM COUNTY.

Cheoih township, Vany Parker; Stecoih township, Dan'l Taylor; Robinsville township, M. N. E. Slaughter.

GRANVILLE COUNTY.

Henderson township, Harvil Harris; Kittrell's township, Geo. W. Kittrell's; Brassfield township, Sam'l H. Kennedy; Dutchville township, James B. Beck; Walnut Grove township, William Daniel; Sassafras Fork township, Thomas W. Corwin; Townsville township, Drury S. Morrow; Oxford township, Thos. D. Crawford; Oak Hill township, W. S. Holloway; Tally Ho township, Wm. H. Smith; Fishing Creek township, Logan Hobgood; Town of Henderson, F. M. Meadows.

GREENE COUNTY.

Snow Hill township, Jas. W. Taylor; Hookerton township, Jas. J. Moon; Speight's Bridge township, R. C. D.

Beaman; Olds township, John R. Dixon; Bulldoze township, John G. Britt.

GUILFORD COUNTY.

Washington township, John Cobb; Rock Creek township, D. P. Foust; Green township, W. M. Thompson; Madison township, Mebane Apple; Jefferson township, W. P. Wharton; Clay township, Jos. W. Gilmer; Centre Grove township, J. W. Winchester; Monroe township, Henry Rankin; Deep River township, L. F. Davis; Gilmer township, W. D. Wharton; Jamestown township, J. A. Gray, 2 years, and I. W. Freeman, 4 years; Fentress township, John Tucker; Friendship township, W. N. Armfield; Morehead township, Geo. Donnell; Bruce's township, J. L. Ogburn; Summer township, F. S. Davis; High Point township, David Jordan; Oak Ridge township, Jesse Benbord.

HALIFAX COUNTY.

Halifax township, John O'Brien; Caledonia township, John B. Neal; Palmyra township, E. P. Hyman; Roseneath township, W. T. Whitehead; Conoconary township, John A. Norfleet; Weldon township, Aaron Prescott; Enfield township, W. C. Stallings; Littleton township, Sterling Johnson; Butterwood township, W. E. Bowers; Brinkleyville township, B. O. Harris; Faucett township, Walter H. Daniel.

HARNETT COUNTY.

Johnsonville township, Duncan Morrison; Barbecue township, Thos. W. Harrington; Upper River township, John A. McDougald; Lillington township, John W. McNeill; Averysboro township, Henry Pope; Grove township, James D. Ryals; Neill's Creek township, John A. Matthews;

Hector Creek township, Eli Carter; Buckhorn township, John D. Pegram; Stewart's Creek township, Wm. H. Allen; Black River township, Thomas Mathews and S. J. Gardner.

HAYWOOD COUNTY.

Township No. 1, J. A. Fitzgerald; township No. 2, W. L. Evans; township No. 3, J. M. Gwynne; township No. 4, J. M. Edwards; township No. 5, C. L. Smathers; township No. 6, S. Walker; township No. 7, Z. T. Furgerson; township No. 8, D. L. Colwell; township No. 9, L. M. Dunsy; township No. 10, Allen Huntly; township No. 11, John Bramlette.

HENDERSON COUNTY.

Hendersonville township, A. Cannon; Edneyville township, Jacob M. Lyday; Blue Ridge township, C. A. Case; Green River township, J. G. Thompson; Clear Creek township, M. U. Love; Hooper Creek township, P. F. Patton; Crab Creek township, Jeremiah Orr; Mills River township, B. F. Morris.

HERTFORD COUNTY.

Winton township, King Parker; Harrellsville township, Sam'l L. Aumack; St. Sohn's township, George A. Brown and Solomon Parker; Manning's Neck township, James E. Everett; Murfreesboro township, H. C. Madrey; town of Winton, James L. Anderson.

HYDE COUNTY.

Ocracoke township, P. C. Howard; Lake Landing township, James M. Benson; Swan Quarter township, Joseph

M. Watson ; Currituck township, Sam'l L. Snell ; Fairfield township, Tho. H. B. Gibbs.

IREDELL COUNTY.

Eagle Mills township, E. W. Joyner ; Union Grove township, James A. Holmes ; New Hope township, M. H. Shoemaker ; Turnersburg township, C. L. Turner ; Olin township, Dr. J. F. Foard ; Sharpesburg township, Dr. R. T. Campbell ; Cool Springs township, C. W. Kestler ; Bethany township, J. C. Turner ; Concord township, J. H. Scroggs ; Chambersburg township, G. F. Shepherd ; Davidson township, J. B. Cornelius ; Statesville township, T. M. C. Davidson ; Coddle Creek township, R. A. Alexander ; Shiloh township, H. C. Summers ; Falls Town township, Jas. M. Patterson ; Barringer township, Robt. S. Templeton.

JACKSON COUNTY.

Cashier's Valley township, John H. Alley ; Hamburg township, J. H. Marshal ; Saul's Creek township, Britton Hawkins ; Cary Fork township, W. J. Parker ; Fork of the River, Woodford Zachary ; Cullowhee township, D. D. Davis ; Scott's Creek township, S. R. Cook ; Webster C. H. township, T. M. Frizzell ; Savannah township, B. H. Jones ; Barber's Creek township, Wm. P. Jones ; Qualla Town township, H. S. Baker.

JOHNSTON COUNTY.

Clayton township, N. G. Guley ; Pleasant Grove township, Amos Coats ; Elevation, John G. Woodan ; Meadows, Elam Godwin ; Bentonsville township, P. H. C. Dupree ; Ingram's township, J. D. Smith ; Smithfield township, John Tomlinson ; Boon Hill township, Wm. Richardson ; Beulah township, Jno. H. Parker ; O'Neal's township, Gideon Price ;

Wilder's township, Jesse Hinnant; Selma township, E. S. Moon.

Moore
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JONES COUNTY.

White Oak township, George W. Kovner; Pollocksville township, John Pierce; Trenton township, Wm. W. Pollock; Cypress Creek, John M. Franke; Tuckahoe township, C. C. Fordham; Beaver's Creek township, Wm. B. Isler.

LINCOLN COUNTY.

North Brook township, T. M. Foster; Howard's Creek township, M. M. Lutz; Lincolnton township, John Mullen; Ironton township, A. G. Harrell; Catawba township, D. A. Lowe; Town of Lincolnton, H. J. Crooks.

LENOIR COUNTY.

Sand Hill township, Seth West; Woodington township, Jesse C. Kennedy; Trent township, W. S. Byrd; Pink Hill township, John M. Noble; Mosely Hall township, M. H. Wooten; Lenoir Institute township, John H. Dawson; Falling Creek township, G. F. Parrott; Vance township, F. G. Taylor; Contentnea Neck township, C. L. Rountree; Kinston township, R. W. King.

MACON COUNTY.

Franklin township, H. G. Woodfin; Mill Shoal township, E. H. Franks; Ellijay township, Hosea Moses; Sugar Fork James Keener; Blue Ridge township, Jno. Arnold; Smith's Bridge township, Hanibal Garland; Cartoograche township, Albert Siler; Nantihala township, J. M. Forrister; Barington township, Joseph Morgan; Cowee township, Geo. Dean.

MADISON COUNTY.

Marshall township, John Rogers; Pine Creek township, W. B. Wild; Little Sandy Marsh township, Jackson W. Glance; Spring Creek township, Wm. Cody; Warm Spring township, F. M. Wells; Big Laurel township, Jas. M. Wallen; Shelton Laurel township, B. F. Gahagan; Gabriel Creek township, J. D. Roberts; Middle Fork township, Geo. W. Stephens; West Fork township, Charles L. McPeters; Upper Laurel township, N. W. Anderson.

MARTIN COUNTY.

Robersonville township, W. H. Watson, 2 years, B. R. Jenkins 4 years, S. A. Garner 6 years, J. A. Manning 6 years; Bear Grass township, Jas. F. Bailey and N. S. Peal; Williamston township, A. L. Mizzell, A. J. Mizzell, Wm. H. Roberson; Jonesville township, C. C. Walters and Geo. M. Burruss; Griffin township, S. R. Henderzoy, W. H. Lilly, Daniel R. Daniel; Williams township, John L. Ward, Wilson Manning, James B. Lanier; Cross Roads township, J. D. Simpson, Simon P. Everitt, W. A. Mobly; Goose Neck township, John L. Bowers, Z. M. Whitehurst, John T. Hyman.

MECKLENBURG COUNTY.

Charlotte township, J. S. Myers; Clear Creek, A. C. Flow; Crab Orchard, Leander Query; Berryhill township, S. S. Herron; Sharon township, J. M. Kirkpatrick; Pineville township, F. C. Harris; Providence township, J. N. Homi; Steele Creek township, S. A. Comthers; Dewese township, W. A. Sossaman; Long Creek township, R. F. Simpson; Pan Creek township, D. H. McCord; Lemley's township, A. M. Barry; Morning Star township, J. S. Reid; Mallard Creek township, B. H. Garrison.

MCDOWELL COUNTY.

Jamestown township, Benj. Brackett; Higgins township, C. F. Pyott; Dysartville township, M. F. Tate; Dobson township, W. A. Conly; North Cove township, R. W. Brown; Marion township, J. C. Swaine; Old Fort township, T. Y. Greenlee; Crooked Creek township, A. J. Dula; Broad River township, B. F. Freeman; Sugar Hill township, J. C. Crawford.

MITCHELL COUNTY.

Bakersville township, J. B. Slagle; Snow Creek township, C. A. Ellis; Grassy Creek township, J. C. Blalock; Toe River township, L. D. Vance; Linville township, E. L. Estes; Little Creek township, Alexander Buchanan; Red Hill township, C. R. Garland; Harrell's township, J. C. Milton; Hollow Poplar township, Spencer Barrett.

MONTGOMERY COUNTY.

Troy township, F. M. Warner; Mount Gilead township, John L. McKinnon; Pee Dee township, Thomas J. Wood; Rocky Spring township, D. A. Clark; Little River township, Calvin Cagle; Edwards township, James D. Harris; Hollingsworth township, A. B. McCaskill; Uwharrie township, P. C. Sanders, Jr.; Cheek's township, Jerry Luther; Ophir township, Daniel H. Coggin; Hill township, John Allen.

MOORE COUNTY.

Carthage township, D. P. Shields; Ben Salem township, A. A. Leach; Seffields township, J. C. Wright; Ritters township, J. L. Pervis; Jonesboro township, J. R. Watson; Greenwood township, S. E. Johnson, A. A. McPhail and J.

B. Cole; Thugard's township, Daniel Blue; Pocket township, D. C. Campbell; Sandhill township, John Campbell; Mineral Spring township, J. L. Currie.

NASH COUNTY.

Castalia township, James Harper; Griffin township, James V. Bunting; Whitaker township, E. B. Hilliard; Stoney Creek township, John R. Green; Nashville township, L. M. Conyers; Cooper's township, J. J. B. Vick; Manning's township, Z. R. Hinton; Ferrell's township, B. G. Sanders; Bailey's township, John R. Morris; Jackson's township, H. H. Williams; Rocky Mount township, John P. Wynne.

NEW HANOVER COUNTY.

Wilmington township, W. M. Poisson; Federal Point township, John H. Savage; Masonboro township, James A. Montgomery; Harnett township, A. A. Mosely; Cape Fear township, W. O. Johnson.

NORTHAMPTON COUNTY.

Gaston township, Jas. W. Grant; Occeneeche township, Thomas C. Parker; Jackson township, W. S. Copeland; Roanoke township, Andrew E. Peele; Rich Square township, Jno. C. Jacobs; Wiccacanoë township, Wm. H. Parker; Kirby township, W. J. Edwards; Seaboard township, Alex. H. Reid; Town of Jackson, ————.

ONSLow COUNTY.

Richland township, S. B. Taylor; Jacksonville township, A. J. Johnson; Stumpy Sound township, H. E. King; Swansboro township, Wm. Watson; White Oak township, George Mattocks.

ORANGE COUNTY.

Hillsboro township, N. D. Bain; Little River township, Charles R. Wilson; Mangum township, G. W. Jones; Durham township, D. P. Paschan; Patterson township, G. A. Barbee; Chapel Hill township, Lucius J. Lloyd; Bingham township, S. S. Webb; Cedar Grove township, William T. Tate; Lebanon township, Jas. G. Latta; Durham, (vacancy) Robert D. Patterson.

PAMLICO COUNTY.

Township No. 1, James M. Rue; township No. 2, Fullman F. Woodward; township No. 3, William Potter; township No. 4, John W. Watson; township No. 5, Thomas D. Perkins; Bayboro township, Festus Miller.

PASQUOTANK COUNTY.

Elizabeth City township, C. C. Allen; Newland township, Wilson S. Temple; Providence township, Robert N. Morgan; Nixonton township, Zenas Fearing; Mt. Herman township, S. D. Scott; Salem township, James M. Weeks.

PENDER COUNTY.

Holden township, Morris C. Collins; Union township, John D. Powers; Columbus township, Thomas W. McIntire; Creswell township, Edwin A. Hanes; Lincoln township, Charles P. Moore; Rocky Point township, John E. Durham; Holly township, William J. Plague; Grant township, R. K. Bryan, Jr.; Caintuck township, J. J. Pridgeon, 2 years; B. F. Keith, 4 years, B. J. Corbett, 6 years.

PERQUIMANS COUNTY.

New Hope township, Benjamin L. Banks; Parkerville township, John A. Bennett; Belvidere township, William Simpson; Hertford township, Nathan Newby; Bethel township, Jacob H. Parker.

PERSON COUNTY.

Cunningham township, C. H. Richmond; Olive Hill township, George A. Rogers; Bushy Fork township, John Coleman; Flat River township, Monroe Cash; Roxboro township, J. B. Pleasant; Woodall township, John Rogers; Holloway's township, L. C. Humphrey; Allensville township, Ross Yarborough; Mt. Tirzah township, William A. Malone.

PITT COUNTY.

Swift Creek township, Edgar E. Powell; Chicot township, G. W. Venters; Greenville township, J. B. Worsley; Belvoir township, W. A. Hyman; Pactolus township, L. H. Robertson; Falkland township, William Fields; Farmville township, G. Tyson; Contentnea township, E. C. Blount.

POLK COUNTY.

Columbia township, Ransom C. Tallant; White Oak township, Jerry Jackson; Tryon township, William M. Henderson; Cooper's Gap township, Anderson C. Head; Green's Creek township, J. K. Simpson.

RANDOLPH COUNTY.

Incorporated town of Ashboro, L. D. Burkhead, J. T. Bostick; Trinity township, A. J. Tomlinson; New Market township, T. C. Fentress; New Salem township, D. P. Coble; Liberty

township, I. W. Burgess ; Columbus township, William H. Foust ; Franklinsville township, A. S. Horney ; Asheboro township, D. W. Porter ; New Hope township, Jesse F. Lyndon ; Tabernacle township, J. M. Johnson ; Union township, R. M. Cox ; Back Creek township, Z. F. Rush ; Richland township, H. M. Johnson ; Concord township, Noah Rush ; Brower township, S. E. Teague ; Cedar Grove township, Uriah Presnell ; Pleasant Grove township, D. H. Hayworth ; Grant township, Joseph Redding ; Randleman township (new), R. R. Ross, 2 years, William Brown, 4 years, J. N. Caudle, 6 years.

RICHMOND COUNTY.

Rockingham township, E. A. McDonald ; Stewartsville township, L. F. Everett ; Laurel Hill township, Mark Morgan ; Williamson's township, William F. Gibson ; Mineral Springs township, Joshua Chappell ; Black Jack township, W. D. Townsend ; Wolf Pitt township, Neil Whitlock ; Beaver Dam township, John S. Ledbetter ; Steele's township, W. D. Smith, W. R. A. Roberzan.

ROBESON COUNTY.

Alfordsville township, Milton McPhail ; Blue Spring township, J. E. Purcell ; Back Swamp township, D. C. Buie ; Britt's township, Caleb Britt ; Howellsville township, Shadrack Howell ; Lumberton township, A. W. Fuller ; Lumber Bridge township, Wm. C. McPhail ; St. Paul's township, J. D. McGeachy ; Sterling Mills township, John F. Britt ; Smith's township, Daniel B. McLean ; Shoe Heel township, J. S. McQueen ; Thompson's township, Neill McCormack ; Wishart's township, Eli Wishart ; Burnet Swamp township, John Prevath ; White House township, J. A. B. Stephens.

ROWAN COUNTY.

Salisbury township, J. A. Ramsey; Franklin township, A. L. Hall; Unity township, Daniel Peninger; Scotch-Irish township, Sanford Henly; Mt. Ulla township, S. A. Lawrence; Atwell township, S. M. Furr; Locke township, T. C. Sumners; Littaker township, P. A. Sloop; Gold Hill township, A. W. Klutz; Morgan township, Atlas Kirk; Providence township, W. B. Klutz.

ROCKINGHAM COUNTY.

Leakville township, D. F. King; Stoneville township, E. P. Barnes; Madison township, H. J. McGehee; Huntsville township, W. D. Smith; New Bethel township, H. P. Lomax; Simpsonville township, John N. Irwin; Wentworth township, T. A. Ratliffe; Oregon township, R. A. Holderby; Williamsburg township, Alfred Walker.

RUTHERFORD COUNTY.

Rutherford township, Jas. M. Toms; Green Hill township, J. B. Morris; Union township, Jason H. McKinney; Sulphur Spring township, W. A. Tanner; High Shoals township, Henry Jenkins; Colfax township, B. B. Byers; Cool Spring township, A. W. Harriss; Duncan Creek township, W. M. Packard; Golden Valley township, H. C. Rollins; Logan's Store township, Thos. T. Jones; Camp Grove township, L. L. Deck; Morgan township, A. W. Haynes; Chimney Rock township, Isaac M. Frady.

SAMPSON COUNTY.

Clinton township, R. C. Holmes, W. E. Stevens; Taylor's Bridge township, Calhoun Johnson; Lisbon township, Julian J. Bronson; Franklin township, N. E. Colwell; Turkey

township, John D. Blount; Piney Grove township, W. A. Andrews; Westbrook township, Chas. H. McLamb, David Lee; Mingo township, Whitney Royal; Hall's township, D. R. Watson; Dismal township, Chas. H. Williams; Little Coharrie township, James M. Spell; Hunnycutt's township, W. A. Baggot; McDonald's township, Uriah Hill, Henry C. West.

STANLY COUNTY.

Township No. 1, T. A. Londer; township No. 2, L. Green and W. R. Whitley; township No. 3, Daniel Spencer; township No. 4, D. M. Ritchie; township No. 5, Rufus Almond; township No. 6, L. C. Pond; township No. 7, Jos. P. Austin; township No. 8, B. C. Blalock.

STOKES COUNTY.

Meadow township, Joel F. Hill; Sauratown township, S. Adams; Beaver Island township, M. T. Mitchell; Snow Creek township, Sam'l Wall; Peter's Creek township, P. H. Mabe; Quaker Gap township, Jas. A. Leak; Yadkin township, J. Q. A. King.

SURRY COUNTY.

Dobson township, B. F. Wood; Mt. Airy township, W. R. Bray; Westfield township, Andrew Jackson; Pilot township, Abraham Whittaker; Rockford township, Lacy W. Snow; Marsh township, John J. Setliff; Hotel township, C. H. Guyer; Bryant township, Columbus Thompson; Franklin township, Jackson Lowe; Stewart's Creek township, Francis Miller; Eldorado township, L. J. Key; Incorporated town of Mt. Airy, W. M. Banner; Silman township, J. Atkinson, 2 years, J. S. Reeves, 4 years, Jubal A. Marion, 6 years.

SWAIN COUNTY.

Oceconolufly township, H. J. Beck ; Charlestown township, ; Nantihala township, Birch McHard ; Toney's Creek township, W. B. Cole.

TRANSYLVANIA COUNTY.

Boyd's township, E. B. Clayton : Little River township, Franklin Hunt ; Davidson township, C. C. Ralton ; Dunn's Rock township, Jas. L. Brooks ; Cathey's Creek township, Jno. McWilson ; East Fork township, C. M. Gillespie ; Gloucester township, Thos. Hay ; Hogback township, James A. Sanders.

TYRRELL COUNTY.

Columbia township, J. G. Brickhouse ; Scuppernong township, Henderson Lewis ; Gum Neck township, J. C. Meekins ; Alligator township, W. E. Shallington ; South Fork township, W. C. Woodley.

UNION COUNTY.

Monroe township, Hampton C. Moore ; Buford township, T. C. Eubanks ; Jackson township, B. Henry Massey ; Sandy Ridge township, J. M. Price ; Goose Creek township, J. S. Baucom ; New Salem township, H. F. Davis ; Lane's Creek township, Jacob S. Little.

VANCE COUNTY.

Rocky Ford township, David H. Gill and Thos. Blacknall ; Sandy Creek township, Alex. L. Steed and Silas Powell ; Nut Bush township, Geo. H. Yancey and Richard Paschall.

WAKE COUNTY.

Barton's Creek township, R. D. Honeycutt; St. Mary's township, Wm. R. Poole; Buckhorn township, W. H. Burt; Cary township, C. H. Clarke; Cedar Fork township, W. H. Morris, Jr.; House's Creek township, John W. Wiggins; Little River township, Eugene F. Jones; Mark's Creek township, Jos. Blake; White Oak township, Albert C. Council; Middle Creek township, Lynn Stephens; Wake Forest township, E. E. Gill; Swift Creek township, Jas. G. Bennett; Neuse township, L. M. Green; Oak Grove township, John M. Lynn; Panther Branch township, Jas. Adams; St. Matthews; Cicero Williams; Raleigh township, Jos. A. Haywood; New Light township, Alex. L. Lynam.

WARREN COUNTY.

Incorporated town of Middleburg, Jno. W. Nicholson; River township, Robt. B. Shaw; Haw River township, Jno. M. Brain; Swift Creek township, Robt. F. Rose; Nut Bush township, R. K. Watkins; Sandy Creek township, Alex. L. Steel; Shocco township, Henry Carroll; Fishing Creek township, Matthew T. Duke and R. E. Robinson; Judkins' township, John W. Riggan; Warrenton township, W. G. Plummer; Six Pound township, Frank M. Felts; Fork (new) township, Robt. W. Alston, for 6 years, and N. F. Alston, for 4 years.

WASHINGTON COUNTY.

Plymouth township, L. H. Hornthal and Jesse P. Hilliard; Lee's Mills township, T. J. Hassell; Skinnersville township, L. M. Phelps; Scuppernong township, Josephus Snell and Alexander Armstrong.

WATAUGA COUNTY.

Boon township, W. H. Dugger ; Bald Mountain township, Hugh Dobbin ; Blue Ridge township, F. F. Hendrix ; Blowing Rock township, William Elrod ; Beaver Dam township, Thaddeus Reece ; Cove Creek township, Rufus Lewis ; Elk Creek township, Lewis Hartley ; Laurel Creek township, Benj. Green ; Meet Camp township, Manly Blackburn ; Stoney Fork township, Henderson Younce ; Watauga township, L. W. Church ; Shoaneehan township, William Vuncannon.

WAYNE COUNTY.

Goldsboro township, J. A. Washington ; Stony Creek township, M. J. Ham ; Nahunta township, Jesse T. Aycock ; Great Swamp township, Jesse Hooks ; Pikeville township, Stephen F. Blow ; Saulstown township, Leonard Lewis ; New Hope township, Thomas W. Uzzell ; Indian Spring township, B. S. Burwick ; Brogden township, J. A. Tolar ; Grantham township, C. J. McCullers ; Fork township, W. H. Brogden.

WILKES COUNTY.

Edward's township, J. I. Parks and Jas. M. Gambill ; Trap Hill township, J. F. Gentry and Jas. M. Holbrook ; Walnut Grove township, W. McAbsher ; Rock Creek township, W. T. Ward ; Mulberry township, C. N. Hunt ; Union township, A. A. Whittington ; Antioch township, J. H. Foot ; Reddy River township, Jesse McNeil and H. C. Purnell ; New Castle township, G. W. Sale ; Lewis's Fork township, Alfred Proffitt ; Bushy Mountain township, Harold Hays ; Job's Cabin township, J. H. Thompson and H. H. Church ; Lovelace township, Wm. Anderson ; Elk township, J. C. Land ; Fishing Creek township, W. B. Trosseau ; Beaver

Creek township, E. K. Wilch; Sumner township, A. A. Martin and James Combs; Wilkesboro township, W. H. Hubbard.

WILSON COUNTY.

Wilson township, T. C. Davis and Warren Woodard; Gardner township, William Woodard, Sr.; Stantonsburg township, J. T. Graves and D. G. W. Ward; Black Creek township, A. G. Brooks and Augustus Barnes; Cross Roads township, D. A. Scott; Spring Hill township, John B. Williamson; Saratoga township, Lycurgus Farmer and Thos. Fellin; Old Field township, Irvin Eatman; Toisnot, John L. Bailey and W. W. Flowers; Taylor's township, M. L. Dew.

YADKIN COUNTY.

Boonville township, M. L. Woodhouse; Knobs township, Enoch D. Swain; Buck Shoals township, James M. Burgess; Deep Creek township, John M. Nicholson; Liberty township, J. G. Reavis; Forbush township, Willis J. Dickson; Little Yadkin township, Sandford H. Nading; East Bend township, John H. Poindexter; Falls Creek township, Geo. D. Hobson.

YANCEY COUNTY.

Burnesville township, L. C. Robinson; Cane River township, Joshua Horton; Egypt township, Robert Lewis; Ramseytown township, Daniel Miller; Jack Creek township, E. H. Hampton and M. W. Patterson; Brush Creek township, B. S. L. Deyton; Crab Tree township, John Cox; South Toe River township, Wm. Hutchings; Pensacola township, Goom Blankenship; Gum Mountain township, Jeremiah Hughes and W. L. Bennett.

The following Senators voted for the entire list above reported:

Messrs. Battle, Bernard, Blue, Burwell, Carr, Cuninghame, Davidson, Dortch, Faison, Finger, Foil, Glenn, Hampton, Harper, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Respass, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker, Williamson of Davie, Woodhouse and York—34.

The Calendar was resumed.

H. B. 694, S. B. 821, bill to amend chapter 67, Private Laws of 1876-'77, to authorize the construction of a branch road from Hayesville in Clay county to Addington's Mills in Macon county, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting without engrossment

H. B. 941, S. B. 845, bill to re-survey the boundary lines of this State. Placed on the Calendar.

Also, engrossed

H. B. 1037, S. B. 846, bill to amend chapter 219, section 1, Laws of 1876-'77, relating to the protection of deer. Placed on the Calendar.

H. B. 513, S. B. 847, bill to require clerks of the superior courts in filling the office of justice of the peace to report the names to the Secretary of State. Placed on the Calendar.

H. B. 815, S. B. 848, bill for the protection of convicts. Placed on the Calendar.

H. B. 823, S. B. 849, bill to amend the law prescribing the duties of coroner. Placed on the Calendar.

H. B. 792, S. B. 850, bill in relation to the office of county treasurer. Placed on the Calendar.

H. B. 944, S. B. 851, bill to incorporate the town of Lewiston in the county of Bertie. Placed on the Calendar.

H. B. 491, S. B. 852, bill to incorporate the Raleigh and Rocky Mount Railroad Company. Placed on the Calendar.

H. B. 455, S. B. 853, bill to facilitate the settlements of executors, administrators, and guardians. Placed on the Calendar.

H. B. 916, S. B. 854, bill to amend an act entitled an act to incorporate the town of Roxboro in Person county, &c., &c. Placed on the Calendar.

H. B. 793, S. B. 855, bill to amend section 5, chapter 138, Laws of 1873-'74. Placed on the Calendar.

H. B. 689, S. B. 856, bill to protect the growth of oysters in Pamlico Sound in the county of Hyde. Placed on the Calendar.

H. B. 871, S. B. 857, bill to amend the charter of the town of Durham. Placed on the Calendar.

H. B. 1002, S. B. 858, bill to change the boundary line of the town of Bethel in the county of Pitt. Placed on the Calendar.

H. B. 913, S. B. 859, bill to prescribe the duty of the Attorney General in certain cases. Placed on the Calendar.

H. R. 104, S. R. 860, resolution in favor of W. W. Rollins. Placed on the Calendar.

H. R. 127, S. R. 861, resolution granting convict labor for the construction of the Danville and Haw River Railway. Placed on the Calendar.

Engrossed House amendment to

S. B. 655½, H. B. 1059, bill to designate the holidays to be observed, and dates when papers will be due.

On motion, the amendment was concurred in, and the bill was ordered enrolled.

Engrossed House amendment to

S. B. 385, H. B. 607, bill to encourage the colleges of the State in establishing libraries.

On motion, the amendment was concurred in and the bill was ordered enrolled.

Also, a message was received announcing the appointment of Messrs. Day, Smedes and Bledsoe as House branch of the conference committee on House amendment to

S. B. 351, H. B. 987, bill to provide for additional servants for the various State departments.

The President announced Messrs. Scott of Rockingham and Clarke as Senate branch of said committee.

On motion of Mr. Cuningham,

H. B. 916, S. B. 854, bill to amend an act to incorporate the town of Roxboro in Person county, &c., was taken up, passed its several readings and was ordered enrolled.

S. B. 818, bill fixing probate and registration fees in certain cases, on its second reading.

Pending consideration, the hour of half-past two o'clock P. M. having arrived, the Senate took recess until half-past seven o'clock this evening.

EVENING SESSION.

MARCH 9th, 1881.

The Senate met pursuant to adjournment.

UNFINISHED BUSINESS.

S. B. 818, bill fixing probate and registration fees in certain cases, was taken up on its second reading, it being the unfinished business of this morning.

The bill passed its several readings and was ordered sent to the House without engrossment.

Mr. Scott of Rockingham submitted a report from the committee of conference on

House amendment to

S. B. 351, H. B. 987, bill to provide for additional servants for the various State departments. The report was adopted, and the bill ordered enrolled.

A message was received from the House asking a duplicate copy of

S. B. 83, bill in relation to the probate of deeds, &c. It was ordered to be sent.

Also, announcing the adoption by the House of the report of the committee of conference on

House amendment to

S. B. 351, H. B. 987, bill to provide for additional servants for the various State departments.

The Calendar was taken up.

H. B. 692, S. B. 758, bill to amend chapter 35, Laws of 1879, passed its several readings and was ordered enrolled.

H. B. 665, S. B. 774, bill for the protection of sheep husbandry in the county of Dare, passed its several readings and was ordered enrolled.

REPORT OF TELLERS ON ELECTION OF JUSTICES OF THE
PEACE.

Mr. Battle, of tellers, submitted the following report:

We, the undersigned, tellers on the part of the two Houses of the General Assembly to superintend the election of Justices of the Peace by the General Assembly, on Wednesday, March 9th, 1881, beg leave to report that they have examined the rolls of the two Houses and find the following named persons received a majority of the votes cast in each House of the General Assembly, for Justices of the Peace in the various townships of the several counties of the State, to fill the vacancies of such Justices of the Peace whose terms

expire in August, 1881; also the Justices of the Peace for such new townships as have been created since the last election of Justices; also Justices of the Peace for such incorporated towns as have no Justices of the Peace now; also those which are entitled to additional Justices of the Peace under their population as reported by the late census; also Justices of the Peace for such new counties as may have been created since the last election of Justices of the Peace—to-wit:

ALAMANCE COUNTY.

Albright's township, D. S. Thompson; Boon Station township, Andrew Summers; Cobel township, E. S. Eulis; Faucett's township, Wm. J. Murray; Graham township, W. H. Trolinger; Melville township, C. Sellers; Morton township, Coley Brand; Newlin township, David Moore; Patterson township, Sylvester Spoon; Pleasant Grove township, E. Clay Murray; Thompson's township, H. M. Cates.

ALEXANDER COUNTY.

Ellendale township, F. B. Rees; Gwaltney's township, A. C. Jones; Little River township, A. B. Oxford; Miller's township, D. T. Pritchard; Sharpe's township, T. J. Sharpe; Sugar Loaf township, Wm. S. Daniel; Taylorsville township, W. J. Harrington; Wellenburg's township, W. W. Fry.

ALLEGHANY COUNTY.

Cherry Lane township, J. F. Roberts; Cranberry township, J. S. Miller; Glade Creek township, Clarke Higgins; Gap Civil township, George McRives; Prather's township, Nathan Weaver; Piney Creek township, W. H. Billings.

ANSON COUNTY.

Ansonville township, Stephen H. Gaddy; Burnsville township, Hosea P. Meggs; Gulledege's township, John Robinson; Lanesboro township, W. A. Allen; Lilesville township, Will. T. Smith; Morvin township, Vincent Parsons; Wadesboro township, Walter J. Barber; White's Store township, Wm. A. Barrett.

ASHE COUNTY.

Chestnut Hill township, J. G. Osborn; Hilton's township, Marshal S. Molf; Horse Creek township, W. J. Stansbury; Jefferson township, Thos. Calvert; Laurel township, B. H. Neal; Old Field township, Joseph Church; Peak Creek township, Sidney Hutton; Piney Creek township, Jas. D. Brooks; Pine Swamp township, Wm. H. Calvert; North Fork township, Joseph Johnson; Stag Creek township, Porter Ashley.

BEAUFORT COUNTY.

Bath township, Gutha Wilkins, W. B. Campbell and Wm. Gaylow; Chocowinity township, W. T. Windfield and W. H. Patrick; Long Acre township, Marshall Congleton, Jas. W. Bowen and Jas. T. Windley; Pantego township, Geo. Swindell and Albin Jones; Richland township, Edward Futtrill and Burton Stilley; Washington township, E. S. Hoyt and N. S. Fulford.

BERTIE COUNTY.

Colerain township, D. A. Walford and Norfleet Green; Merry Hill township, Jas. Freeman; Roxabel township, W. R. Capehart and Reginald Norfleet; Snakebite township, W. J. Cherry; Windsor, W. M. Sutton and R. C. Bazemore;

White's township, W. G. Cobb ; Woodville, W. J. Spivey ; Indian Woods (new township), Peter Roscoe, Turner C. Bond, Joe. J. Mizell.

BLADEN COUNTY.

Abbottsburg township, Robt. J. McEwin ; Bethel township, C. W. Lyon ; Bladenboro township, Chas. W. Williams ; Brown Marsh township, J. A. Kelly ; Cann's Creek township, John C. Daniel ; Coley township, John A. McKay ; Cypress Creek township, W. K. Cromartie ; Elizabeth township, J. W. Cromartie ; French's Creek township, John F. Croom ; Hawler township, Evander N. Robeson ; Lake Creek township, W. Erwin Shaw ; Turnbull township, Richard W. Tatum ; White's Creek township, John Q. Elkins ; White Oak township, Abram G. Davis.

BRUNSWICK COUNTY.

Lickwood's Folly township, George Leonard ; North-west township, Henry Spencer ; Shallotte township, John H. Mints ; Smithville, Thos. M. Williams ; Town Creek township, A. V. Goodman ; Waccamaw, Christopher C. Little.

BUNCOMBE COUNTY.

Township No. 1, A. N. Cressman ; township No. 2, A. H. Filmat ; township No. 3, B. L. Morgan ; township No. 4, F. Sluder, Sr. ; township No. 5, L. L. Childs ; township No. 6, Riley Powers ; township No. 7, Jason Ashworth ; township No. 8, S. W. Davidson, Sr. ; township No. 9, C. B. Way and Owen Smith ; township No. 10, Wm. R. Baird ; township No. 11, E. C. Chambers ; township No. 12, Jas. H. Woodward ; township No. 13, Cary Ellison.

BURKE COUNTY.

Silver Creek township, Jos. A. Epley; Linville township, C. D. Giles; Upper Creek township, John Nance; Quaker Meadow township, Wm. N. Winters; Lower Creek township, W. S. Sudderth; Lovelady township, J. N. Hoffman; Icard township, H. A. Adams; Lower Fork township, Riley Talent; Upper Fork township, John P. Denton; Morganton township, C. A. Sheeping; Brindletown, H. C. Fisher.

CABARRUS COUNTY.

Township No. 1, H. B. Parks; township No. 2, J. B. Harris; township No. 3, Kerby Pope; township No. 4, C. M. B. Goodnight; township No. 5, John A. Fink; township No. 6, John M. Faggart; township No. 7, J. L. Peck; township No. 8, T. A. Moser; township No. 9, W. H. Orchard; township No. 10, W. A. Bost; township No. 11, C. E. Sides; township No. 12, Jas. N. Brown.

CALDWELL COUNTY.

Lenoir township, Lafayette F. Houk; Lower Creek township, Jason C. Hartley; Lovelady township, George W. Hayes; Little River township, Sion H. Oxford; King's Creek township, Levy Earnest; Buffaloe township, Thomas Pipes; Patterson township, William Land; Globe township, Jesse Moore; John's River township, John R. Webb.

CAMDEN COUNTY.

Shiloh township, Joseph D. Berry; Court-house township, H. W. Scott; South Mills township, John C. Tatem.

CARTERET COUNTY.

White Oak township, John W. Sanders and R. W. Humphrey; Morehead township, Wm. S. Bell, Sr.; Newport township, William Hardesty; Beaufort township, William Alexander; Straits township, Divine S. Guthrie; Smyrna township, Nathan Davis and Melven D. Willis; Hunting Quarters township, Tillman F. Rose, Portsmouth, Thos. Gaskill.

CASWELL COUNTY.

Milton township, N. M. Richmond; Dan River township, Samuel S. Harrison; Pelham township, J. A. Pierce; Locust Hill township, W. B. Johnson; Yanceyville township, H. F. Brandon; Leesburg township, A. B. Newman; High Tower township, John W. Allen; Anderson's township, John S. Miles; Stoney Creek township, A. J. Thompson.

CATAWBA COUNTY.

Newton township, George E. Coulter; Cline's township, Q. M. Smith and Calvin Sigmores; Catawba township, John Danner and S. C. Brown; Mountain Creek township, Wm. A. Day; Caldwell township, H. H. Caldwell and John W. Williams; Jacob's Fork township, Geo. M. Yoder; Bandy township, M. F. Hull and G. P. Clay; Hickory township, D. H. Tuttle and Samuel E. Killiam.

CHATHAM COUNTY.

Albright's Township, W. B. Carter; Baldwin township, Thos. B. Tanner; Bear Creek township, John W. Calder; Cape Fear township, Wm. S. Gunter; Centre township, Robt. M. Burns; Hadley's township, John E. Perry; Matthew's township, Josephus A. Gilliland; Hickory Mountain township, Isaac T. Brooks; Gulf township, James T. Rives;

Oakland township, Carson Johnson; New Hope township, Lemuel Ellis; Williams township, P. M. Pearson.

CHEROKEE COUNTY.

Murphy township, S. W. Davidson and John Henessa; Valley Town township, Hugh Collett; Beaver Dam township, C. C. Berry; Shoal Creek township, A. S. Hill and A. J. Sedford; Hot House township, J. B. Fain; Notla township, A. E. Evans and J. A. Heddin.

CHOWAN COUNTY.

Edenton township, John C. Pearce; Yeopim township, Petro M. Warren; Middle township, Wm. P. Jones; Upper township, Wm. T. Woody.

CLAY COUNTY.

Haysville township, J. J. Scroggs; Brasstown township, Bennett Langham; Tusquitte township, T. J. Johnson; Shooting Creek township, W. H. Hogshead; Hiwassee township, T. J. Ledford.

CLEVELAND COUNTY.

Township No 1, J. T. Ray; township No. 2, O. W. Holland; township No. 3, T. A. Bridgers; township No. 4, D. J. Hardin; township No. 5, J. R. Moss; township No. 6, E. B. Jennings; township No. 7, Z. McKinney; township No. 8, R. G. Wells; township No. 9, David R. Hoyle; township No. 10, W. H. Thompson; township No. 11, W. J. Morrison.

COLUMBUS COUNTY.

Ransom township, G. B. Robertson; Lake Waccamaw

township, M. Campbell; Bogue township, James P. Pearce; Welch's township, James M. Shipman; Whiteville township, L. W. Stanley; Western Prong township, Donald McNeil; Tatum's township, A. M. Benton; Fair Bluff township, Burrell Smith; Williams township, M. M. Harrellson and Emanuel Wright; Bug Hill township, E. W. Fowler; Lee's township, J. W. Gore.

CRAVEN COUNTY.

Township No. 1, Edward Whitford; township No. 2, Samuel W. Latham; township No. 3, R. A. Russell 6 years, F. P. Outlaw 4 years, Wm. Griffin 2 years; township No. 4, ————; township No. 5, Wm. P. Stanton; township No. 6, A. J. Chestnut; township No. 7, George D. Conner; township No. 8, Enock Wadsworth; township No. 9, W. B. Lane.

CUMBERLAND COUNTY.

Seventy-first township, Duncan Shaw; Rock Fish township, Wm. Buil; Gray's Creek township, Neill McQueen; Quwhiffle township, Duncan K. McDuffie; Cross Creek township, A. M. Campbell; Little River township, A. A. Johnson; Cedar Creek township, T. J. Parker; Flea Hill township, W. J. Sessoms; Black River township, Allen McCaskill and Isaac W. Goodwin; Beaver Dam township, Nathan Jones; Carver's Creek township, W. J. Adams.

CURRITUCK COUNTY.

Moyock township, H. H. Simmons; Crawford township, S. P. Wilson; Fruitville township, Samuel J. Waterfield; Poplar Branch township, G. G. Gallop; Atlantic township, B. D. Tillett.

DARE COUNTY.

Hatteras township, George L. Fulcher; Kennekeet and Chickamacomeco township, H. C. Miller; Nagshead and Roanoke township, C. J. Dough; Croatan and Stumpy Point township, A. S. Hooper; East Lake township, Wm. Dough.

DAVIDSON COUNTY.

Lexington township, A. A. Yarborough; Cotton Grove township, Alex. F. Smith; Boone township, G. F. Smith, Sr.; Tyro township, J. H. Michael; Yadkin township, J. H. Walser; Clemmonsville township, John A. Farrabee; Arcadia township, G. W. Burke; Yadkin Bend township, John S. Delap; Bethany township, Hugh W. Lindsay; Healing Spring township, James H. Daniel; Abbott's Creek township, Jacob Yokeley; Alleghany township, C. L. Bailey; Thomasville township, W. H. Conrad; Jackson Hill township, Spencer Wood; Conrad Hill township, Sol. B. Love and John McKee; Emmons' township, Levi Beck; Silver Hill township, Zeno Tussy.

DAVIE COUNTY.

Mocksville township, W. F. McMahon; Jerusalem township, Amos Daniel; Fulton township, H. E. Robertson; Farmington township, W. K. Gibbs; Clarksville township, F. M. Hendrix; Calahan township, Beal James.

DUPLIN COUNTY.

Kenansville township, J. E. Matthews; Limestone township, William Sandlin; Cypress Creek township, Nicanor James; Island Creek township, J. E. Pigford; Rock Fish township, J. J. Ward and W. B. Southerland; Warsaw township, T. M. Moon and James K. Smith; Faison township, J.

B. Oliver; Wolf Creek township, Thadeus Jones; Albertson's township, N. B. Outlaw; Deal's township, Gaston Kelly; Smith's township, J. R. Miller; Magnolia township, J. D. Usher.

EDGECOMBE COUNTY.

Township No. 1, Jos. S. Pepper, E. D. McNair; township No. 2, E. Cromwell Knight; township No. 3, Thomas L. Mayo; township No. 4, Walter Thigpen; township No. 5, Silas E. Warren; township No. 6, Marcus J. Battle; township No. 7, Jos. K. Lawrence; township No. 8, S. R. Moon; township No. 9, Elisha Horne; township No. 10, John J. Lewis; township No. 11, Spencer L. Hart; township No. 12, W. O. Bullock; township No. 13, Solomon Cherry; township No. 14, Samuel H. Thum.

FRANKLIN COUNTY.

Louisburg township, G. G. Gill; Franklinton township, F. H. Conyers; Freeman's township, George Winston; Haysville township, P. A. Bobbitt; Gold Mine township, A. D. Williams; Cedar Rock township, Jos. Cooke; Cypress Creek township, Geo. Harris; Dunn's township, F. P. Pearce; Harris' township, Lee Perry; Sandy Creek township, P. A. Davis.

FORSYTH COUNTY.

Winston township, R. D. McCuistru and J. F. Griffith; South Fork township, Theo. Kimmell; Old Town township, C. H. Hauser; Broad Bay township, Rowan Charles, William Shepherd and Charles Rothruck; Abbott's Creek township, John Shannel and Joseph Wicker; Middle Fork township, J. H. Cox and Calvin Crews; Kernersville township, George W. Wilson, John Sapp and John D. Ray; Be-

lo's Creek township, Fred. Fulton and Joseph Fulp; Salem Chapel township, Henry Marshall; Bethania township, John A. Anderson, William Lehman and John Hill; Old Richmond township, Thomas Moser; Vienna township, Columbus Sprinkle; Lewisville township, J. P. Burkley and W. G. Hauser.

GASTON COUNTY.

Cherryville township, J. J. McGinnis, Bennet Carpenter; Dallas township, J. H. Rutledge; River Bend township, W. B. Rutledge; South Point township, Enos M. Berry; Crowder's Mountain township, K. J. Kennedy, Jas. Canon, and William Wilson.

GATES COUNTY.

Gatesville township, James A. Harrell; Hall township, James A. Sparkman; Reynoldson township, John J. Gatling; Haslett township, William H. Riddick; Holly Grove township, Elijah Williams; Hunter's Mills township, W. H. Manning; Wintonville township, John Brady.

GRAHAM COUNTY.

Cheoih township, Vany Parker; Stecoih township, Dan'l Taylor; Robinsville township, M. N. E. Slaughter.

GRANVILLE COUNTY.

Henderson township, Harvil Harris; Kittrell's township, Geo. W. Kittrell's; Brassfield township, Sam'l H. Kennedy; Dutchville township, James B. Beck; Walnut Grove township, William Daniel; Sassafras Fork township, Thomas W. Corwin; Townsville township, Drury S. Morrow; Oxford township, Thos. D. Crawford; Oak Hill township, W.

S. Holloway ; Tally Ho township, Wm. H. Smith ; Fishing Creek township, Logan Hobgood ; Town of Henderson, F. M. Meadows.

GREENE COUNTY.

Snow Hill township, Jos. W. Taylor ; Hookerton township, Jos. J. Moore ; Speight's Bridge township, R. C. D. Beaman ; Olds township, John R. Dixon ; Bulldoze township, John G. Britt.

GUILFORD COUNTY.

Washington township, John Cobb ; Rock Creek township, D. P. Foust ; Green township, W. M. Thompson ; Madison township, Mebane Apple ; Jefferson township, W. P. Wharton ; Clay township, Jos. W. Gilmer ; Centre Grove township, J. W. Winchester ; Monroe township, Henry Rankin ; Deep River township, L. F. Davis ; Gilmer township, W. D. Wharton ; Jamestown township, J. A. Gray and J. W. Freeman ; Fentress township, John Tucker ; Friendship township, W. N. Armfield ; Morehead township, Geo. Donnell ; Bruce's township, J. L. Ogburn ; Summer township, F. S. Davis ; High Point township, David Jordan ; Oak Ridge township, Jesse Benbow.

HALIFAX COUNTY.

Halifax township, John O'Brien ; Caledonia township, John B. Neal ; Palmyra township, E. P. Hyman ; Roseneath township, W. T. Whitehead ; Conoconary township, John A. Norfleet ; Weldon township, Aaron Prescott ; Enfield township, W. C. Stallings ; Littleton township, Sterling Johnson ; Butterwood township, W. E. Bowers ; Brinkleyville township, B. O. Harris ; Faucett township, Walter H. Daniel.

HARNETT COUNTY.

Johnsonville township, Duncan Morrison ; Barbecue township, Thos. W. Harrington ; Upper River township, John A. McDougald ; Lillington township, John W. McNeill ; Averysboro township, Henry Pope ; Grove township, James D. Ryals ; Neill's Creek township, John A. Matthews ; Hector Creek township, Eli Carter ; Buckhorn township, John D. Pegram ; Stewart's Creek township, Wm. H. Allen ; Black River township, Thomas Matthews and S. J. Gardner.

HAYWOOD COUNTY.

Township No. 1, J. A. Fitzgerald ; township No. 2, W. S. Evans ; township No. 3, J. M. Gwyne ; township No. 4, J. M. Edwards ; township No. 5, C. L. Smathers ; township No. 6, S. Walker ; township No. 7, Z. T. Furgerson ; township No. 8, D. L. Colwell ; township No. 9, L. M. Dunsy ; township No. 10, Allen Huntly ; township No. 11, John Bramlette.

HENDERSON COUNTY.

Hendersonville township, A. Cannon ; Edneyville township, Jacob M. Lyday ; Blue Ridge township, C. A. Case ; Green River township, J. G. Thompson ; Clear Creek township, M. U. Love ; Hooper Creek township, P. F. Patton ; Crab Creek township, Jeremiah Orr ; Mills River township, B. F. Morris.

HERTFORD COUNTY.

Winton township, King Parker ; Harrellsville township, Sam'l L. Aumack ; St. John's township, George A. Brown and Solomon Parker ; Manning's Neck township, James E.

Everett; Murfreesboro township, H. C. Madrey; town of Winton, James L. Anderson.

HYDE COUNTY.

Ocracoke township, P. C. Howard; Lake Landing township, James M. Benson; Swan Quarter township, Joseph M. Watson; Currituck township, Sam'l L. Snell; Fairfield township, Tho. H. B. Gibbs.

IREDELL COUNTY.

Eagle Mills township, E. W. Joyner; Union Grove township, James A. Holmes; New Hope township, M. H. Shoemaker; Turnersburg township, C. L. Turner; Olin township, Dr. J. F. Foard; Sharpesburg township, Dr. R. T. Campbell; Cool Springs township, C. W. Kestler; Bethany township, J. C. Turner; Concord township, J. H. Scroggs; Chambersburg township, G. F. Shepherd; Davidson township, J. B. Cornelius; Statesville township, T. M. C. Davidson; Coddle Creek township, R. A. Alexander; Shiloh township, H. C. Summers; Falls Town township, Jas. M. Patterson; Barnuger township, Robt. S. Templeton.

JACKSON COUNTY.

Cashier's Valley township, John H. Alley; Hamburg township, J. H. Marshal; Saul's Creek township, Britton Hawkins; Cary Fork township, W. J. Parker; Fork of the River, Woodford Zachary; Cullowhee township, D. D. Davis; Scott's Creek township, S. R. Cook; Webster C. H. township, T. M. Frizzell; Savannah township, B. H. Jones; Barber's Creek township, Wm. P. Jones; Qualla Town township, H. S. Baker.

JOHNSTON COUNTY.

Clayton township, N. G. Gulley; Pleasant Grove township, Amos Coats; Elevation, John G. Woodall; Meadows, Elam Godwin; Bentonsville township, P. H. C. Dupree; Ingram's township, J. D. Smith; Smithfield township, John Tomlinson; Princeton township, Wm. Richardson; Beulah township, Jno. H. Parker; O'Neal's township, Gideon Price; Wilder's township, Jesse Hinnant; Selma township, E. S. Moore.

JONES COUNTY.

White Oak township, George W. Kooner; Pollocksville township, John Pierce; Trenton township, Wm. W. Pollock; Cypress Creek, John M. Franks; Tuckahoe township, C. C. Fordham; Beaver's Creek township, Wm. B. Isler.

LINCOLN COUNTY.

North Brook township, T. M. Foster; Howard's Creek township, M. M. Lutz; Lincolnton township, John Mullen; Ironton township, A. G. Harrell; Catawba township, D. A. Lowe; Town of Lincolnton, H. J. Crooks.

LENOIR COUNTY.

Sand Hill township, Seth West; Woodington township, Jesse C. Kennedy; Trent township, W. S. Byrd; Pink Hill township, John M. Noble; Mosely Hall township, M. H. Wooten; Lenoir Institute township, John H. Dawson; Falling Creek township, G. F. Parrott; Vance township, F. G. Taylor; Contentnea Neck township, C. L. Rountree; Kinston township, R. W. King.

MACON COUNTY.

Franklin township, H. G. Woodfin; Mill Shoal township, E. H. Franks; Ellijay township, Hosea Moses; Sugar Fork James Keener; Clear Creek township, Jno. Arnold; Smith's Bridge township, Hanibal Garland; Cartoogechage township, Albert Siler; Nantihala township, J. M. Forrister; Bennington township, Jos. Morgan; Cowee township, Geo. Dean.

MADISON COUNTY.

Marshall township, John Rogers; Pine Creek township, W. B. Wild; Little Sandy Mush township, Jackson W. Glance; Spring Creek township, Wm. Cody; Warm Spring township, F. M. Wells; Big Laurel township, Jos. M. Wallen; Shelton Laurel township, B. F. Gahagan; Gabriel Creek township, J. D. Roberts; Middle Fork township, Geo. W. Stephens; West Fork township, Charles L. McPeters; Upper Laurel township, N. W. Anderson.

MARTIN COUNTY.

Robersonville township, W. H. Watson, B. R. Jenkins, S. A. Garner, J. A. Manning; Bear Grass township, Jas. F. Bailey and N. S. Peal; Williamston township, A. L. Mizzell, A. J. Mizzell, William H. Roberson; Jonesville township, George M. Burruss, S. R. Henderson, C. C. Walters; Griffin township, W. H. Lilly, John L. Ward, Daniel R. Daniel; Williams township, Wilson Manning, J. D. Simpson, James B. Lanier; Cross Roads township, W. A. Mobly, Simon P. Everett; Goose Neck township, John L. Bowers, Z. W. Whitehurst, John F. Hyman.

MECKLENBURG COUNTY.

Charlotte township, J. S. Myers; Clear Creek, A. C. Flow; Crab Orchard, Leander Query; Berryhill township, S. S. Herron; Sharon township, J. M. Kirkpatrick; Pineville township, F. C. Harris; Providence township, J. N. Horne; Steele Creek township, S. A. Caruthers; Dewese township, W. A. Sossaman; Long Creek township, R. F. Simpson; Paw Creek township, D. A. McCord; Lemley's township, A. M. Barry; Morning Star township, J. S. Reid; Mallard's Creek township, B. H. Garrison.

MCDOWELL COUNTY.

Jamestown township, Benj. Brackett; Higgins township, C. F. Pyott; Dysartville township, M. F. Tate; Dobson township, W. A. Conly; North Cove township, R. W. Brown; Marion township, J. C. Swann; Old Fort township, T. Y. Greenlee; Crooked Creek township, A. J. Dula; Broad River township, B. F. Freeman; Sugar Hill township, J. C. Crawford.

MITCHELL COUNTY.

Bakersville township, J. B. Slagle; Snow Creek township, C. A. Ellis; Grassy Creek township, J. C. Blalock; Toe River township, L. D. Vance; Linville township, E. L. Estes; Little Creek township, Alexander Buchanan; Red Hill township, C. R. Garland; Harrell's township, J. C. Milton; Hollow Poplar township, Spencer Barrett.

MONTGOMERY COUNTY.

Troy township, F. M. Warner; Mount Gilead township, John L. McKinnon; Pee Dee township, Thomas J. Wood; Rocky Spring township, D. A. Clark; Little River town-

ship, Calvin Cogle; Edwards township, James D. Harris; Hollingsworth township, A. B. McCaskill; Uwharrie township, P. C. Sanders, Jr.; Cheek's township, Jerry Luther; Ophir township, Daniel H. Coggin; Hill township, John Allen.

MOORE COUNTY.

Carthage township, D. P. Shields; Ben Salem township, A. A. Leach; Seffields township, J. C. Wright; Ritters township, J. L. Pervis; Jonesboro township, J. R. Watson; Greenwood township, S. E. Johnson, A. A. McPhail and T. B. Cole; Thugard's township, Daniel Blue; Pocket township, D. C. Campbell; Sandhill township, John Campbell; Mineral Spring township, J. L. Currie.

NASH COUNTY.

Castalia township, James Harper; Griffin township, James V. Bunting; Whitaker township, E. B. Hilliard; Stoney Creek township, John R. Green; Nashville township, L. M. Conyers; Cooper township, J. J. B. Vick; Manning's township, Z. R. Hinton; Ferrell township, B. G. Sanders; Bailey's township, John R. Morris; Jackson township, H. H. Williams; Rocky Mount township, John P. Wynne.

NEW HANOVER COUNTY.

Wilmington township, W. M. Poisson; Federal Point township, John H. Savage; Masonboro township, James A. Montgomery; Harnett township, A. A. Mosely; Cape Fear township, W. O. Johnson.

NORTHAMPTON COUNTY.

Gaston township, Jas. W. Grant; Occeneeche township,

Thomas C. Parker; Jackson township, W. S. Copeland; Roanoke township, Andrew E. Peele; Rich Square township, Jno. C. Jacobs; Wiccacanoë township, Wm. H. Parker; Kirby township, W. J. Edwards; Seaboard township, Alex. H. Reid; Town of Jackson, ————.

ON SLOW COUNTY.

Richland township, S. B. Taylor; Jacksonville township, A. J. Johnson; Stumpy Sound township, H. E. King; Swansboro township, Wm. Watson; White Oak township, George Mattocks.

ORANGE COUNTY.

Hillsboro township, N. D. Bain; Little River township, Charles R. Wilson; Mangum township, G. W. Jones; Durham township, D. P. Paschall; Patterson township, G. A. Barbee; Chapel Hill township, Lucius J. Lloyd; Bingham township, S. S. Webb; Cedar Grove township, William T. Tate; Lebanon township, Jos. G. Latta; Durham, (vacancy) Robert D. Patterson.

PAMLICO COUNTY.

Township No. 1, James M. Rue; township No. 2, Fullman F. Woodward; township No. 3, William Potter; township No. 4, John W. Watson; township No. 5, Thomas D. Perkins; Bayboro township, Festus Miller.

PASQUOTANK COUNTY.

Elizabeth City township, C. C. Allen; Newland township, Wilson S. Temple; Providence township, Robert U. Morgan; Nixonton township, Zenas Fearing; Mt. Herman township, S. D. Scott; Salem township, James M. Weeks.

PENDER COUNTY.

Holden township, Morris C. Collins; Union township, John D. Powers; Columbus township, Thomas W. McIntire; Caswell township, Edwin A. Hanes; Lincoln township, Charles P. Moore; Rocky Point township, John E. Durham; Holly township, William J. Plague; Grant township, R. K. Bryan, Jr.; Caintuck township, J. J. Pridgeon, B. F. Keith, B. J. Corbert.

PERQUIMANS COUNTY.

Hertford township, Francis Pickard; Bethel township, Whitaker Myers; Belvidere township, J. Robt. Parker; Parkville township, A. S. Jordan; New Hope township, W. R. Weeks.

PERSON COUNTY.

Cunningham township, C. H. Richmond; Olive Hill township, George A. Rogers; Bushy Fork township, John Coleman; Flat River township, Monroe Cash; Roxboro township, J. B. Pleasants; Woodall township, John Rogers; Holloway's township, L. C. Humphrey; Allensville township, Ross Yarborough; Mt. Tirzah township, William A. Malone.

PITT COUNTY.

Swift Creek township, Edgar E. Powell; Chicot township, G. W. Vinters; Greenville township, J. B. Worsley; Belvoir township, W. A. Hyman; Pactolus township, L. H. Robertson; Falkland township, William Fields; Farmville township, G. Tyson; Contentnea township, E. C. Blount.

POLK COUNTY.

Columbia township, Ransom C. Tallant; White Oak town-

ship, Jerry Jackson; Tryon township, William M. Henderson; Cooper's Gap township, Anderson C. Head; Green's Creek township, J. K. Simpson.

RANDOLPH COUNTY.

Incorporated town of Ashboro, L. D. Burkhead, J. T. Bostick; Trinity township, A. J. Tomlinson; New Market township, T. C. Fentress; New Salem township, D. P. Coble; Liberty township, I. W. Burgess; Columbus township, William H. Foust; Franklinsville township, A. S. Horney; Asheboro township, D. W. Porter; New Hope township, Jesse F. Lyndon; Tabernacle township, B. F. Rush; Union township, R. M. Cox; Back Creek township, Z. F. Rush; Richland township, H. M. Johnson; Concord township, Noah Rush; Brower township, S. E. Teague; Cedar Grove township, Uriah Presnell; Pleasant Grove township, D. H. Hayworth; Grant township, Joseph Redding; Randleman township (new), R. R. Ross, 2 years, William Brown, 4 years, J. N. Caudle, 6 years.

RICHMOND COUNTY.

Rockingham township, E. A. McDonald; Stewartsville township, L. F. Everett; Laurel Hill township, Mark Morgan; Williamson's township, William F. Gibson; Mineral Springs township, Joshua Chappell; Black Jack township, W. D. Townsend; Wolf Pitt township, Neil Whitlock; Beaver Dam township, John S. Ledbetter; Steele's township, W. D. Smith, W. R. A. Roberson.

ROBESON COUNTY.

Alfordsville township, Milton McPhail; Blue Spring township, J. E. Purcell; Back Swamp township, D. C. Buie; Britt's township, Caleb Britt; Howellsville township, Shad-

rack Howell ; Lumberton township, A. W. Fuller ; Lumber Bridge township, Wm. C. McPhail ; St. Paul's township, J. D. McGeachy ; Sterling Mills township, John F. Britt ; Smith's township, Daniel B. McLean ; Shoe Heel township, J. S. McQueen ; Thompson's township, Neill McCormack ; Wishart's township, Eli Wishart ; Burnt Swamp township, John Prevath ; White House township, J. A. B. Stephens.

ROWAN COUNTY.

Salisbury township, J. A. Ramsey ; Franklin township, A. L. Hall ; Unity township, Daniel Peninger ; Scotch-Irish township, Sanford Henly ; Mt. Ulla township, S. A. Lawrence ; Atwell township, S. M. Furr ; Locke township, T. C. Summers ; Littakees township, P. A. Sloop ; Gold Hill township, A. W. Klutz ; Morgan township, Atlas Kirk ; Providence township, W. B. Klutz.

ROCKINGHAM COUNTY.

Leakville township, D. F. King ; Stoneville township, E. P. Barnes ; Madison township, H. J. McGehee ; Huntsville township, W. D. Smith ; New Bethel township, H. P. Lomax ; Simpsonville township, John N. Irwin ; Wentworth township, T. A. Ratliffe ; Oregon township, R. A. Holderby ; Williamsburg township, Alfred Walker.

RUTHERFORD COUNTY.

Rutherford township, Jas. M. Toms ; Green Hill township, J. B. Morris ; Union township, Jason H. McKinney ; Sulphur Spring township, W. A. Tanner ; High Shoals township, Henry Jenkins ; Colfax township, B. B. Byers ; Cool Spring township, A. W. Harrill ; Duncan Creek township, W. M. Packard ; Golden Valley township, H. C. Rollins ; Logan's Store township, Thos. T. Jones ; Camp Grove

township, L. L. Deck ; Morgan township, A. W. Haynes ; Chimney Rock township, Isaac M. Frady.

SAMPSON COUNTY.

Clinton township, R. C. Holmes, W. E. Stevens ; Taylor's Bridge township, Calhoun Johnson ; Lisbon township, Julian J. Bronson ; Franklin township, N. E. Colwell ; Turkey township, John D. Blount ; Piney Grove township, W. A. Andrews ; Westbrook township, Chas. H. McLamb, David Lee ; Mingo township, Whitney Royal ; Hall's township, D. R. Watson ; Dismal township, Chas. H. Williams ; Little Coharrie township, James M. Spell ; Hunnycutt's township, W. A. Baggot ; McDonald's township, Uriah Hill, Henry C. West.

STANLY COUNTY.

Township No. 1, T. A. Lowder ; township No. 2, L. Green and W. R. Whitley ; township No. 3, Daniel Spencer ; township No. 4, D. M. Ritchie ; township No. 5, Rufus Almond ; township No. 6, L. C. Pond ; township No. 7, Jas. P. Austin ; township No. 8, B. C. Blalock.

STOKES COUNTY.

Meadow township, Joel F. Hill ; Sauratown township, S. Adams ; Beaver Island township, M. T. Mitchell ; Snow Creek township, Sam'l Wall ; Peter's Creek township, P. H. Mabe ; Quaker Gap township, Jas. A. Leak ; Yadkin township, J. Q. A. King.

SURRY COUNTY.

Incorporated town of Mount Airy, W. M. Banen ; Dobson township, B. F. Wood ; Mt. Airy township, W.

R. Bray ; Westfield township, Andrew Jackson ; Pilot township, Abraham Whitaker ; Rockford township, Lacy W. Snow ; Marsh township, John J. Setliff ; Hotel township, C. H. Guyer ; Bryant township, Columbus Thompson ; Franklin township, Jackson Lowe ; Stewart's Creek township, Francis Miller ; Eldorado township, L. J. Key ; Siloam township, J. Atkinson, 2 years, J. S. Reeves, 4 years, Jubal A. Marion, 6 years.

SWAIN COUNTY.

Oconolufly township, H. J. Beck ; Charlestown township, T. B. Brown ; Nantihala township, Birch McHard ; Toney's Creek township, W. B. Cole.

TRANSYLVANIA COUNTY.

Boyd's township, E. B. Clayton ; Little River township, Franklin Hunt ; Davidson township, C. C. Patton ; Dunn's Rock township, Jas. L. Brooks ; Cathey's Creek township, Jno. McWilson ; East Fork township, C. M. Gillespie ; Gloucester township, Thos. Hay ; Hogback township, James A. Sanders.

TYRRELL COUNTY.

Columbia township, J. G. Brickhouse ; Scuppernong township, Henderson Lewis ; Gum Neck township, J. C. Meekins ; Alligator township, W. E. Shallington ; South Fork township, W. C. Woodley.

UNION COUNTY.

Mcroe township, Hampton C. Moore ; Buford township, T. C. Eubanks ; Jackson township, B. Henry Massey ; Sandy Ridge township, J. M. Price ; Goose Creek township, J.

S. Baucom; New Salem township, H. F. Davis; Lane's Creek township, Jacob S. Little.

VANCE COUNTY.

Rocky Ford township, David H. Gill and Thos. Black-nall; Sandy Creek township, Alex. L. Steel and Silas Powell; Nut Bush township, Geo. H. Yancey and Richard Paschall.

WAKE COUNTY.

Barton's Creek township, R. D. Honeycutt; St. Mary's township, Wm. R. Poole; Buckhorn township, W. H. Burt; Cary township, C. H. Clarke; Cedar Fork township, W. H. Morris, Jr.; House's Creek township, John W. Wiggins; Little River township, Eugene F. Jones; Mark's Creek township, Jos. Blake; White Oak township, Albert C. Council; Middle Creek township, Lynn Stephens; Wake Forest township, E. E. Gill; Swift Creek township, Jos. Z. Bennett; Neuse township, L. M. Green; Oak Grove township, John M. Lynn; Panther Branch township, Jas. Adams; St. Matthews, Cicero Williams; Raleigh township, Jos. A. Haywood; New Light township, Alex. L. Lynam.

WARREN COUNTY.

Incorporated town of Middleburg, Jno. W. Nicholson; River township, Robt. B. Shaw; Haw River township, Jno. M. Brain; Swift Creek township, Robt. F. Rose; Nut Bush township, R. K. Watkins; Sandy Creek township, Alex. L. Steed; Shocco township, Henry Carroll; Fishing Creek township, Matthew T. Duke and R. E. Robinson; Judkins' township, John W. Riggan; Warrenton township, W. G. Plummer; Six Pound township, Frank M. Fitts; Fork (new)

township, Robt. W. Alston, for 6 years, and N. F. Alston, for 4 years.

WASHINGTON COUNTY.

Plymouth township, L. H. Hornthal and Jesse P. Hilliard; Lee's Mills township, T. J. Hassell; Skinnersville township, L. M. Phelps; Scuppernong township, Josephus Snell and Alexander Armstrong.

WATAUGA COUNTY.

Boon township, W. H. Dugger; Bald Mountain township, Hugh Dobbin; Blue Ridge township, F. F. Hendrix; Blowing Rock township, William Elrod; Beaver Dam township, Thaddeus Reece; Cove Creek township, Rufus Lewis; Elk Creek township, Lewis Hartley; Laurel Creek township, Benj. Green; Meet Camp township, Manly Blackburn; Stoney Fork township, Henderson Younce; Watauga township, L. W. Church; Shoaneehan township, William Vancannon.

WAYNE COUNTY.

Goldsboro township, J. A. Washington; Stony Creek township, M. J. Hain; Nahunta township, Jesse T. Aycock; Great Swamp township, Jesse Hooks; Pikeville township, Stephen D. Blow; Saulstown township, Leonidas Lewis; New Hope township, Thomas W. Uzzell; Indian Spring township, B. S. Burwick; Brogden township, J. A. Tolar; Grantham township, C. J. McCullers; Fork township, W. H. Brogden.

WILKES COUNTY.

Edward's township, J. I. Parks and Jas. M. Grambrill; Trap

Hill township, J. F. Gentry and Jas. M. Holbrook ; Walnut Grove township, W. McAbsher ; Rock Creek township, W. T. Ward ; Mulberry township, C. N. Hunt ; Union township, A. A. Whittington ; Antioch township, J. H. Foot ; Reddy River township, Jesse McNeil and H. C. Purnell ; New Castle township, G. W. Sale ; Lewis's Fork township, Alfred Proffitt ; Bushy Mountain township, Harold Hays ; Job's Cabin township, J. H. Thompson and H. H. Church ; Lovelace township, Wm. Anderson ; Elk township, J. C. Land ; Fishing Creek township, W. B. Trosseau ; Beaver Creek township, E. K. Welch ; Sumner township, A. A. Martin and James Combs ; Wilkesboro township, W. H. Hubbard.

WILSON COUNTY.

Wilson township, T. C. Davis and Warren Woodard ; Gardner township, William Woodard, Sr. ; Stantonsburg township, J. T. Graves and D. G. W. Ward ; Black Creek township, A. G. Brooks and Augustus Barnes ; Cross Roads township, D. A. Scott ; Spring Hill township, John B. Williamson ; Saratoga township, Lycurgus Farmer and Thos. Fellin ; Old Field township, Irvin Eatman ; Toisnot, John L. Bailey and W. W. Flowers ; Taylor's township, M. L. Dew.

YADKIN COUNTY.

Boonville township, M. L. Woodhouse ; Knobs township, Enoch D. Swain ; Buck Shoals township, James M. Burgess ; Deep Creek township, John M. Nicholson ; Liberty township, J. G. Reavis ; Forbush township, Willis J. Dickson ; Little Yadkin township, Sandford H. Nading ; East Bend township, John H. Poindexter ; Falls Creek township, Geo. D. Hobson.

YANCEY COUNTY.

Burnesville township, L. C. Robinson ; Cane River township, Joshua Horton ; Egypt township, Robert Lewis ; Ramseytown township, Daniel Miller ; Jack Creek township, E. H. Hampton and M. W. Patterson ; Brush Creek township, B. S. L. Deyton ; Crab Tree township, John Cox ; South Toe River township, Wm. Hutchings ; Pensacola township, Govan Blankenship ; Green Mountain township, Jeremiah Hughes and W. L. Bennett.

Whole number of votes cast, 99 ; of which the foregoing list of nominations received a majority.

We therefore declare that the above-named persons having each received a majority of the votes cast in each House of the General Assembly, have been duly elected Justices of the Peace for their respective townships and counties as above set forth.

All of which is respectfully reported,

JAMES T. RESPASS,

JAMES S. BATTLE,

Tellers on the part of the Senate.

C. B. GREEN,

A. E. HOLTON,

Tellers on the part of the House.

Whereupon the foregoing were declared duly elected Justices of the Peace for their respective towns and townships of the several counties of the State for the terms set forth,

By consent,

Mr. Merritt introduced

S. B. 862, bill for the benefit of the Principal Clerks of the General Assembly.

On motion of Mr. Merritt, the rules were suspended, the bill passed its several readings, and was ordered sent to the House without engrossment.

The Calendar was resumed.

S. B. 585, bill to amend chapter 294, Laws of 1879, passed its several readings and was ordered sent to the House without engrossment.

H. B. 928, S. B. 800, bill for the protection of crops in the county of Rowan, was, on motion, laid on the table.

SPECIAL ORDER.

H. B. 335, S. B. 688, bill to provide for classifying the railroads in this State, and for other purposes, was taken up on its second reading, it being the special order for this hour.

The substitute reported by the committee on Internal Improvements was read.

Mr. Spruill demanded the previous question, which was sustained.

On the adoption of the substitute,

Mr. Dortch demanded the ayes and noes, which were ordered, and the substitute was adopted, ayes 27, noes 11, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Cuninghame, Davidson, Dortch, Faison, Finger, Gudger, Hampton, Harper, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Oates, Richardson, Scott of Rockingham, Spears, Spruill, Staples, Tucker, Whitaker, Williamson of Davie and Woodhouse—27.

Those voting in the negative were

Messrs. Battle, Carter, Clarke, Foil, Glenn, Hanes, Newland, Scott of New Hanover, Stowe, Williamson of Edgecombe and York—11.

Bill then passed its several readings and was ordered sent to the House without engrossment.

SPECIAL ORDER.

H. B. 329, S. B. 784, bill to give aid to the people of the State by the establishment of three additional superior court districts, on its third reading, it being the second special order for this evening.

Mr. Whitaker moved to amend: Strike all in section 1 after the word "follows" in line 4. Strike out all of section 21 after the word "Assembly" in line 5. Add the following to section 2, so amended: "The offices of Judge and Solicitor in the judicial districts hereafter appointed and in which no Judge or Solicitor now resides shall be appointed by the Governor." Lost.

Mr. Lockhart moved to amend: Strike out "Union from the Ninth district and insert the same in the Sixth district." On which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 20, noes 17, as follows:

Those voting in the affirmative were

Messrs. Cuningham, Finger, Glenn, Gudger, Hampton, Jones, Lockhart, Manning, Mebane, Merritt, Newland, Parish, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Tucker, Whitaker and York—20.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Burwell, Clarke, Davidson, Dortch, Faison, Foil, Hanes, Harper, McMillan, Oates, Scott of New Hanover, Spears, Williamson of Edgecombe and Woodhouse—17.

On the passage of the bill its third reading,

Mr. Lockhart demanded the ayes and noes, which were ordered, and the bill failed to pass its third reading, ayes 16, noes 23, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Carter, Clarke, Davidson, Dortch, Faison, Hanes, Harper, Oates, Scott of New

Hanover, Spears, Tucker, Williamson of Davie and Williamson of Edgecombe—16.

Those voting in the negative were

Messrs. Blue, Cuninghame, Finger, Foil, Glenn, Gudger, Hampton, Jones, Lockhart, Manning, McMillan, Mebane, Merritt, Newland, Parish, Richardson, Scott of Rockingham, Spruill, Staples, Stowe, Whitaker, Woodhouse and York—23.

Mr. Lockhart moved to reconsider the vote by which the bill failed to pass its third reading, and moved to lay that motion on the table. The latter motion prevailed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing the concurrence of that honorable body in Senate amendment to

Section 26, Schedule B, of H. B. 912, S. B. 806, bill to raise revenue,

And the refusal of that body in the other Senate amendments, and asking a committee of conference.

The Senate agreed to the appointment of a committee of conference, and the President appointed Messrs. Richardson, Burwell and Hanes as the Senate branch of said committee.

A message was received from the House, announcing as House branch of said committee, Messrs. Tate, Glenn of Rockingham, Lineback, Green of Orange, and Dunn.

Also, announcing the concurrence of the House in Senate amendments to

H. B. 660, S. B. 773, bill for the support of the Penitentiary,

And had ordered the same enrolled.

Also transmitting engrossed

H. B. 992, S. B. 868, bill to authorize the commissioners of Jackson county to levy a special tax. Placed on the Calendar.

SPECIAL ORDER.

H. B. 985, S. B. 811, bill to prohibit the sale of intoxicating liquors in certain localities, was taken up on its third reading, it being the third special order for this evening.

Pending consideration, at 11 o'clock P. M., the Senate adjourned.

FIFTY-SIXTH DAY.

SENATE CHAMBER, March 10th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Boshammer.

The Journal of yesterday was approved.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. York (for committee on Immigration): S. B. 863, bill to encourage immigration into North Carolina. Placed on the Calendar.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Williamson of Davie: H. B. 685, S. B. 796, bill to allow county commissioners to place the names of school committeemen in the jury box, recommending it do pass.

By Mr. Dortch : H. B. 879, S. B. 793, bill to repeal a portion of chapter 232, Laws of 1879, recommending it do pass.

From the Committee on Engrossed Bills :

The committee on Engrossed Bills reported as properly engrossed :

Senate amendment to

H. B. 408, S. B. 396, bill to authorize the sheriff of Tyrrell county to collect arrearage of taxes ;

Senate amendment to

H. B. 985, S. B. 811, bill to prohibit the sale of spirituous liquors in certain localities ;

Senate amendment to

H. B. 839, S. B. 642, bill in relation to the codification of the Cherokee land laws of the State of North Carolina ;

Senate amendment to

H. B. 898, S. B. 768, bill concerning representation in the Senate.

From the committee on Enrolled Bills :

Mr. Carr, from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled :

S. B. 677, H. B. 980, an act to protect the agricultural interests of Durant's Neck, Perquimans county ;

H. R. 131, S. B. 579, an act to regulate and lay off wreck districts in the county of Dare ;

S. B. 697, H. B. 1015, an act changing the time of making returns to the Secretary of State, entries of vacant public lands by entry takers ;

S. B. 583, H. B. 949, an act for the relief of the heirs-at-law of the late N. W. Woodfin ;

H. B. 1047, S. B. 816, an act to prohibit the sale of spirituous liquors in certain localities ;

S. B. 536, H. B. 1056, an act to extend the provisions of chapter 138, Laws of 1873-'74, and chapter 259, Laws of 1876-'77, to counties in the matter of the sale of intoxicating liquors ;

S. B. 572, H. B. 959, an act to prohibit the fishing of drift nets in certain waters in the State ;

S. B. 561, H. B. 967, an act to lay off and construct a road from Mount Airy in Surry county to Sparta in Alleghany county ;

H. B. 762, S. B. 643, an act to incorporate the trustees of Tyson's Creek Academy in Chatham county ;

S. B. 191, H. B. 610, an act to incorporate the Board of Trade of Newbern, N. C. ;

S. B. 754, H. B. 1062, an act to facilitate the transaction of business in the next General Assembly ;

S. B. 670, H. B. 930, an act to authorize the Treasurer of Franklin county to pay certain school orders ;

S. B. 437, H. B. 962, an act to incorporate the town of Yeatesville in Beaufort county ;

H. B. 733, S. B. 665, an act to secure the better drainage of the low lands of South river and its tributaries, Big Swamp and its tributaries, Little Coharie and its tributaries, Bear Skin Swamp and its tributaries, and Big Coharie Swamp and its tributaries, in the county of Sampson ;

H. B. 667, S. B. 647, an act to amend chapter one hundred and eighteen, section two, Battle's Revisal, so as to include the county of Hyde ;

S. B. 564, H. B. 979, an act to exempt from jury duty certain firemen ;

H. B. 570, S. B. 801, an act to amend section 1 of chapter 25 of Battle's Revisal ;

H. B. 601, S. B. 600, an act to authorize the commissioners of Pender county to levy a special tax to build a courthouse and jail ;

H. B. 645, S. B. 654, an act to incorporate Union Chapel Church and Camp Ground ;

H. B. 795, S. B. 785, an act to prevent the enticing of seamen from vessels ;

H. B. 813, S. B. 701, an act to charter the Bank of Kinston ;

H. B. 753, S. B. 730, an act to amend chapter 118, Battle's Revisal;

H. B. 504, S. B. 640, an act to incorporate Shady Grove M. E. Church South, in the county of Haywood;

S. B. 724, H. B. 983, an act to incorporate "The Carolina and Ocean Steam Ship Company";

H. B. 917, S. B. 802, an act to incorporate the Western Union Normal School for the colored in the town of Monroe, in Union county;

H. B. 873, S. B. 713, an act for the protection of sheep in the county of Buncombe;

S. B. 409, H. B. 768, an act to amend section 41 of the Code of Civil Procedure;

H. B. 708, S. B. 650, an act to protect the Pilots at Hatteras Inlet from forfeiting their branches by reason of being absent from the State ten days;

H. B. 631, S. B. 797, an act to allow the commissioners of Ashe county to levy a special tax;

H. B. 147, S. B. 248, an act to amend sec. 1, chapter 195, Laws of 1874-'5, known as an act for the protection of birds in certain counties;

H. B. 977, S. B. 807, an act to prevent the felling of trees in any of the creeks and rivers in the county of Person;

H. B. 896, S. B. 794, an act to incorporate Goldsboro Lodge, number one thousand seven hundred and eighty-six, Grand United Order of Odd Fellows of North Carolina;

S. B. 459, H. B. 931, an act to revise and consolidate the Public School Law, and to make more efficient the system of public instruction in this State.

All of which are duly ratified, and sent to the office of Secretary of State.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 649, S. B. 864, bill to amend chapter 27, Battle's Revisal. Placed on the Calendar.

H. B. 1078, S. B. 865, bill to repeal so much of chapter 232, which relates to certain towns and villages in Bertie county. Placed on the Calendar.

H. B. 577, S. B. 866, bill to regulate the setting of shad nets in the county of Dare. Placed on the Calendar.

H. B. 999, S. B. 867, bill to carry into effect section 7, article 9 of the constitution in relation to unclaimed dividends. Placed on the Calendar.

H. B. 577½, S. B. 869, bill to protect the fishing interest in North Carolina, and for the protection of commerce. Placed on the Calendar.

H. B. 892, S. B. 870, bill to provide a commission with power to sell the State's interest in the Cape Fear and Yadkin Valley Railroad. Placed on the Calendar.

H. B. 253, S. B. 871, bill to amend chapter 94, Laws of 1879. Placed on the Calendar.

H. B. 918, S. B. 872, bill to compensate guardians *ad litem*. Placed on the Calendar.

H. B. 759, S. B. 873, bill to grade the crime of burglary. Referred to the committee on the Judiciary.

By consent,

Mr. Finger introduced

S. B. 874, bill supplemental to an act to revise and consolidate the public school law, and to make more efficient the system of public instruction in this State.

On motion of Mr. Finger, the rules were suspended, the bill taken up, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 892, S. B. 870, bill to provide a commission with power to sell the State's interest in the Cape Fear and Yadkin Valley Railroad, was taken up on its second reading.

Mr. Clarke moved to amend: Insert

"Provided, No contract made by said commissioners shall

be of any binding force or effect until the same shall be ratified by the General Assembly of North Carolina."

Mr. Stowe demanded the previous question, which was sustained.

On his amendment,

Mr. Clarke demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 17, noes 18, (the President voting in the negative) as follows:

Those voting in the affirmative were

Messrs. Clarke, Cuninghame, Davidson, Faison, Hanes, Manning, McMillan, Mebane, Oates, Parish, Richardson, Scott of New Hanover, Spears, Stowe, Whitaker, Williamson of Edgecombe and Wynne—17.

Those voting the negative were

Mr. President, Messrs. Bernard, Blue, Burwell, Dortch, Finger, Gudger, Hampton, Harper, Lockhart, Merritt, Newland, Scott of Rockingham, Staples, Tucker, Williamson of Davie, Woodhouse and York—18.

On the passage of the bill its second reading,

Mr. Clarke demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 18, noes 14, as follows:

Those voting in the affirmative were

Messrs. Bernard, Blue, Burwell, Carr, Finger, Gudger, Hampton, Harper, Lockhart, Merritt, Newland, Richardson, Scott of Rockingham, Staples, Tucker, Williamson of Davie, Woodhouse and York—18.

Those voting in the negative were

Messrs. Clarke, Cuninghame, Dortch, Faison, Glenn, Manning, McMillan, Mebane, Oates, Parish, Spears, Stowe, Whitaker and Williamson of Edgecombe—14.

Mr. Gudger moved to suspend the rules and put the bill on its third reading. On division, the motion prevailed, ayes 22, noes 7.

Bill was put upon its third reading.

Mr. Clarke moved to lay the bill on the table. Lost.

Bill then passed its third reading, and was ordered enrolled.

Mr. Staples moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

On the motion to table,

Mr. Clarke demanded the yeas and noes, which were ordered, and the motion to table prevailed, ayes 24, noes 12, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harper, Lockhart, Manning, Merritt, Newland, Parish, Respass, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie, Woodhouse and York—24.

Those voting in the negative were

Messrs. Clarke, Cuningham, Davidson, Hanes, McMillan, Mebane, Oates, Richardson, Scott of New Hanover, Spears, Whitaker and Williamson of Edgecombe—12.

By consent,

Mr. York introduced

S. B. 875, bill for the relief of the Reading Clerks of the General Assembly.

On motion of Mr. York, the rules were suspended, the bill taken up, passed its several readings, and was ordered sent to the House without engrossment.

Mr. York introduced

S. B. 876, bill to be entitled an act for the benefit of the Enrolling Clerk of the General Assembly.

On motion of Mr. York, the rules were suspended, the bill taken up, passed its several readings, and was ordered sent to the House without engrossment.

Mr. Williamson of Edgecombe introduced

S. R. 877, resolution for the benefit of the pages of the

General Assembly. Placed on the Calendar.

The Calendar was taken up.

H. B. 1036, S. B. 838, bill supplemental to an act to raise a monument to the late Gov. Richard Caswell, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

H. B. 1091, S. B. 878, bill supplemental to an act appointing magistrates. Placed on the Calendar.

H. B. 1090, S. B. 879, bill to prohibit the sale of spirituous or intoxicating liquors within two miles of the colored Missionary Baptist church at Best's Station in Wayne county. Placed on the Calendar.

H. B. 1092, S. B. 880, bill supplemental to an act incorporating the Newbern Board of Trade, passed at this present session. Placed on the Calendar.

H. B. 1093, S. B. 881, bill to prohibit the sale of spirituous liquors within three miles of Notalah church, Halifax county. Placed on the Calendar.

Engrossed

H. B. 1089, S. B. 882, bill in favor of the Engrossing Clerks of the General Assembly. Placed on the Calendar.

Engrossed

H. B. 212, S. B. 883, bill to amend chapter 283, Laws of 1876-'77. Referred to the committee on Judiciary.

Engrossed House amendment to

S. B. 423, H. B. 1055, bill to incorporate the North Carolina Pharmaceutical Association.

On motion, the amendment was concurred in, and the bill was ordered enrolled.

UNFINISHED BUSINESS.

H. B. 985, S. B. 811, bill to prohibit the sale of spirituous

liquors in certain localities, was taken up on its third reading, it being the unfinished business of yesterday.

Mr. Stowe moved to amend: Insert,

“Provided, This act shall not be construed to apply to vinous liquors.”

Adopted.

The bill then passed its third reading, and the amendments were ordered engrossed.

H. B. 992, S. B. 868, bill to authorize the commissioners of the county of Jackson to levy a special tax, passed its second reading, ayes 26, as follows:

Those voting in the affirmative were

Mesrs. Battle, Bernard, Blue, Burwell, Clarke, Cuninghame, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harper, Manning, McMillan, Mebane, Merritt, Newland, Parish, Richardson, Scott of Rockingham, Staples, Stowe, Tucker, Williamson of Davie and Woodhouse—26.

H. B. 1091, S. B. 878, bill supplemental to an act appointing magistrates, passed its several readings and was ordered enrolled.

H. B. 1090, S. B. 879, bill to prohibit the sale of spirituous or intoxicating liquors within two miles of the colored Missionary Baptist church at Best's Station in Wayne county, passed its several readings and was ordered enrolled.

Mr. Richardson, from committee of conference on Senate amendments to

H. B. 912, S. B. 806, bill to raise revenue, submitted a report, which was adopted. A message was sent to the House, transmitting the report, and asking the concurrence of that honorable body therein.

On motion of Mr. York,

S. B. 375, bill in regard to the salary of the Private Secretary of the Governor was taken from the table and placed on the Calendar.

On his further motion, the bill was taken up.

Mr. Spears moved to lay the bill on the table, on which he demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 12, noes 18, as follows :

Those voting in the affirmative were

Messrs. Blue, Clarke, Cuningham, Hampton, Harper, McMillan, Mebane, Newland, Spears, Stowe, Whitaker and Williamson of Edgecombe—12.

Those voting in the negative were

Messrs. Battle, Bernard, Burwell, Carter, Davidson, Fin-ger, Foil, Glenn, Gudger, Lockhart, Parish, Respass, Scott of New Hanover, Staples, Tucker, Williamson of Davie, Woodhouse and York—18.

The question recurred upon the substitute reported by the committee on Finance.

Mr. Richardson demanded the previous question, which was sustained.

The substitute was adopted.

On the passage of the bill its second reading, the ayes and noes were demanded and ordered, and the bill passed, ayes 15, noes 14, as follows :

Those voting in the affirmative were

Messrs. Battle, Bernard, Burwell, Davidson, Gudger, Lockhart, Manning, Respass, Richardson, Scott of New Hanover, Staples, Tucker, Williamson of Davie, Woodhouse and York—15.

Those voting in the negative were

Messrs. Blue, Clarke, Cuningham, Faison, Hampton, Hanes, Harper, Mebane, Newland, Scott of Rockingham, Spears, Stowe, Whitaker and Williamson of Edgecombe—14.

Mr. Gudger moved the rules be suspended and the bill be put on its third reading. The motion did not prevail.

H. B. 839, S. B. 642, bill in relation to the codification of the Cherokee land laws of the State of North Carolina, on its second reading.

Mr. Burwell moved to amend : Add at the end of section

1, "And as compensation for this service the commissioners shall each receive one hundred dollars in addition to the amount provided to be paid to them under the act entitled 'an act to digest, revise and collate the statute laws of this State passed at this session.'" Adopted.

Mr. Davidson moved to amend: Insert after the words "Cherokee lands" in section 1 the words "and swamp lands." Adopted.

The bill then passed its several readings and the amendments were ordered engrossed.

S. B. 819, bill prohibiting the leasing, hiring, or farming out of railroads in this State without the sanction of the General Assembly, on its second reading.

Mr. Clarke moved to amend by striking out the "Atlantic and North Carolina Railroad," in section 3.

On motion of Mr. Burwell, the bill was laid on the table.

H. B. 898, S. B. 768, bill concerning representation in the Senate, on its third reading.

Mr. Staples moved to amend: Insert after the word "Chatham" the words "and Alamance," so that it will read, "Twenty-second district—Chatham and Alamance shall elect one Senator." Amend by striking out the words "Alamance and" in twenty-fourth district, so that it will read, "Twenty-fourth district—Guilford shall elect one Senator." On which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 17, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Burwell, Carter, Clarke, Cuninghame, Glenn, Guderger, Hampton, Hanes, Lockhart, McMillan, Mebane, Respass, Staples, Stowe, Woodhouse, Wynne and York—17.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Dortch, Finger, Foil, Harper, Merritt, Newland, Oates, Richardson, Scott of Rockingham and Tucker—13.

Mr. Richardson moved to amend: Add the county of Pamlico to the Second district. Adopted.

Mr. Davidson moved to amend: Strike out the arrangement and apportionment of the Thirty-sixth district and Fortieth district, and insert in lieu thereof:

“The counties of Burke, Mitchell and Caldwell shall constitute one district with one Senator; the counties of McDowell, Yancey and Madison shall compose a district with one Senator; and the county of Buncombe shall constitute a district with one Senator.”

On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 20, as follows:

Those voting in the affirmative were

Messrs. Burwell, Cuninghame, Davidson, Dortch, Finger, Glenn, Hampton, Lockhart, Mebane, Merritt, Respass, Spears and Tucker—13.

Those voting in the negative were

Messrs. Battle, Bernard, Blue, Carter, Clarke, Foil, Gudger, Hanes, Harper, Manning, McMillan, Newland, Oates, Richardson, Scott of Rockingham, Stowe, Williamson of Edgecombe, Woodhouse, Wynne and York—20.

The bill then passed its third reading, and the amendments were ordered engrossed.

H. B. 991, S. B. 829, bill to authorize the commissioners of Cleveland county to levy a special tax, passed its third reading, ayes 26, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Bernard, Blue, Burwell, Carter, Clarke, Cuninghame, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Manning, McMillan, Mebane, Merritt, Newland, Oates, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—26.

In the negative, Mr. Spears—1.

Mr. Respass moved to suspend the rules and take up S. R. 699, resolution in relation to the Atlantic and North Carolina Railroad. The motion did not prevail.

H. B. 915, S. B. 826, bill to amend chapter 57, Laws of 1874, an act to incorporate the town of Shelby, passed its third reading, ayes 27, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Clarke, Cuninghame, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harper, Manning, McMillan, Mebane, Merritt, Newland, Oates, Richardson, Scott of New Hanover, Scott of Rockingham, Stowe, Tucker, Williamson of Davie, Woodhouse, Wynne and York—27.

H. B. 649, S. B. 864, bill to amend Battle's Revisal, chapter 27, passed its several readings and was ordered enrolled.

H. B. 823, S. B. 849, bill to amend the law prescribing the duties of coroners, passed its several readings and was ordered enrolled.

On motion of Mr. Respass,

S. R. 699, resolution in regard to the Atlantic and North Carolina Railroad, was taken up; and on his further motion, it was postponed until this evening at 8 o'clock, and made the special order for that hour.

On motion of Mr. Davidson, the hour for adjournment for to day was postponed fifteen minutes.

On motion of Mr. Davidson, the Senate went into an Executive session.

The Senate resumed its open session.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

House amendments to

S. B. 667, H. B. 1088, bill to prohibit the manufacture and sale of spirituous and malt liquors.

The amendments were concurred in, and the bill was ordered enrolled.

Also a message transmitting without engrossment

H. R. 150, S. R. 884, resolution to pay Henry E. Davis and Robert I. Mayo. Referred to the committee on Finance.

At two o'clock and forty-five minutes, the Senate took recess until this evening at half-past seven o'clock.

EVENING SESSION.

MARCH 10th, 1881.

The Senate met pursuant to adjournment.

The Calendar was taken up.

S. R. 278, resolution in relation to Yorktown, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1089, S. B. 882, bill for the benefit of the Engrossing Clerks of the General Assembly, passed its several readings and was ordered enrolled.

H. R. 131, S. R. 836, resolution in favor of L. Branson, passed its several readings and was ordered enrolled.

Mr. Manning, from the committee on Finance, introduced S. R. 885, resolution to compensate clerk to committee on Justices of the Peace.

On motion of Mr. Manning, the rules were suspended, the resolution passed its several readings and was ordered sent to the House without engrossment.

Mr. Manning asked that the committee on appointment of Justices of the Peace be directed to correct a clerical error in report of said committee in the name of one of the justices for Pasquotank county. It was so ordered.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

H. R. 126, S. R. 886, resolution in regard to leasing the Atlantic and North Carolina Railroad. Placed on the Calendar.

H. B. 1102, S. B. 887, bill supplemental to an act to amend chapter 135, Public Laws of 1879. Placed on the Calendar.

SPECIAL ORDER.

S. B. 582, bill to provide for the election of an Associate Justice of the Supreme Court and a Judge of the Superior Court and a Solicitor each for the several districts at a general election to be held on the first Tuesday in November, 1882, was taken up, it being the special order for this hour.

The bill passed its several readings, and was ordered engrossed.

SPECIAL ORDER.

S. R. 699, resolution in regard to the Atlantic and North Carolina Railroad was taken up, being the second special order, was adopted and was ordered sent to the House without engrossment.

The Calendar was resumed.

H. B. 871, S. B. 857, bill to amend the charter of the town of Durham, passed its several readings and was ordered enrolled.

H. B. 894, S. B. 835, bill to amend section 6 of chapter 59, Battle's Revisal, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting Engrossed House amendment to S. B. 525, H. B. 1080, bill for the protection of partridges, &c., in North Carolina.

On motion of Mr. Davidson, the Senate refused to concur, and ordered a message be sent to the House asking a committee of conference. The President appointed as Senate branch of such committee, Messrs. Davidson and Burwell.

The Calendar was resumed.

H. B. 822, S. B. 822, bill to give sub-contractors and laborers a lien upon vessels for their just dues in loading and discharging vessels, passed its several readings and was ordered enrolled.

S. R. 93, resolution in behalf of disabled and maimed soldiers, on its second reading.

Mr. Respass moved the bill be laid on the table. Lost.

Mr. York moved the bill be indefinitely postponed, on which

Mr. Mebane demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 15, noes 10, as follows:

Those voting in the affirmative were

Messrs. Blue, Burwell, Faison, Finger, Glenn, Gudger, Hanes, Jones, McMillan, Mebane, Respass, Scott of Rockingham, Spears, Stowe and York—15.

Those voting in the negative were

Messrs. Clarke, Cuninghame, Davidson, Newland, Oates, Richardson, Scott of New Hanover, Staples, Tucker and Woodhouse—10.

H. B. 1078, S. B. 865, bill to repeal so much of chapter 232, which relates to certain towns in Bertie county, passed its several readings and was ordered enrolled.

Mr. Cuninghame introduced

S. R. 888, resolution in favor of the Doorkeeper and Assistant Doorkeeper of the Senate.

On motion of Mr. Cuningham, the resolution was taken up.

Mr. Finger moved it be laid on the table. Lost.

The resolution passed its second reading, and was put upon its third reading.

On the passage of the resolution its third reading,

Mr. Scott of New Hanover demanded the ayes and noes, which were ordered, and the resolution passed its third reading, ayes 18, noes 9, as follows:

Those voting in the affirmative were

Messrs. Battle, Burwell, Carr, Clarke, Cuningham, Davidson, Dortch, Faison, Glenn, Hampton, Mebane, Parish, Scott of New Hanover, Spears, Staples, Tucker, Williamson of Davie, Williamson of Edgecombe and Woodhouse—19.

Those voting in the negative were

Messrs. Blue, Finger, Hanes, Manning, Merritt, Newland, Oates, Richardson, Scott of Rockingham and York—9.

S. R. 877, resolution in behalf of the pages of the General Assembly, passed its several readings, and was ordered sent to the House without engrossment.

Mr. Lockhart, from committee on Corporations, reported

H. B. 884, S. B. 759, bill to incorporate the town of Keyser in the county of Moore, recommending it do pass.

H. B. 914, S. B. 792, bill to amend and define the boundary lines of the corporation of the town of Morganton in Burke county, recommending it do pass.

H. B. 890, S. B. 795, bill to amend chapter 34, Laws of Special Session 1880, recommending it do pass.

The Calendar was resumed.

H. B. 1068, S. B. 840, bill to amend chapter 232, Laws of 1879, passed its several readings and was ordered enrolled.

On motion, the Senate adjourned.

FIFTY-SEVENTH DAY.

SENATE CHAMBER, March 11th, 1881.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Indefinite leave of absence was granted the Assistant Doorkeeper, Mr. Mathewson.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Judiciary:

By Mr. Davidson: H. B. 759, S. B. 873, bill to grade the crime of burglary, recommending it do not pass.

H. B. 212, S. B. 883, bill to amend chapter 283, Laws of 1876-'77, recommending it do not pass.

By Mr. Dortch: H. B. 46, S. B. 889, bill to amend chapter 275, Laws of 1876-'77, recommending it do not pass.

By Mr. Whitaker: H. B. 528, S. B. 891, bill to amend chapter 55, Battle's Revisal, recommending it do pass.

From the committee on Finance:

By Mr. Manning: H. R. 150, S. R. 884, resolution to pay Henry E. Davis and R. I. Mayo, recommending it do not pass.

By Mr. Richardson: H. R. 113, S. R. 762, resolution in favor of the county of Cabarrus, recommending it do pass.

Mr. Scott of Rockingham, from the committee on Enrolled Bills, reported the following bills and resolutions as correctly enrolled:

S. B. 219, H. B. 1010, an act to establish a public road through the State's land, and to improve the same;

H. B. 250, S. B. 620, an act to incorporate the Western Insane Asylum;

S. B. 401, H. B. 951, an act to incorporate the Bank of Enfield ;

S. B. 562, H. B. 1012, an act to amend the charter of the town of Statesville ;

H. B. 1089, S. B. 882, an act for the benefit of the Engrossing Clerk of the House of Representatives and the Senate ;

H. B. 920, S. B. 765, an act to incorporate the North Carolina Fertilizer Company ;

S. B. 637, H. B. 1063, an act to amend chapter 111, section 1 of the Laws of 1879, entitled an act to amend chapter 102 of the Laws of 1876-'77 ;

S. B. 279, H. B. 1063, an act to amend section 25 of chapter 104 of Battle's Revisal ;

H. B. 1049, S. B. 789, an act to make Arrarat river in Surry county, between certain points, a lawful fence ;

S. B. 28, H. B. 846, an act to change the rules for taking depositions and to amend chapter 17, and section 343i of Battle's Revisal ;

S. B. 60, H. B. 718, an act to amend chapter 27 of Battle's Revisal ;

S. B. 458, H. B. 807, an act to amend section 1 of chapter 70, Battle's Revisal ;

S. B. 660, H. B. 1023, an act to incorporate the Bank of Craven ;

H. B. 747, S. B. 718, an act to authorize the county commissioners of Harnett county to levy a special tax ;

S. B. 634, H. B. 948, an act to enable the county commissioners of certain counties in their discretion to regulate the amount of the sheriff's or tax collector's bond ;

H. B. 357, S. B. 594, an act to change the time of courts in Cleveland, Rutherford and Polk counties ;

H. B. 969, S. B. 781, an act to supply the North Carolina Insane Asylum with pure water ;

S. B. 393, H. B. 770, an act for the better protection of the fish interests in the Cape Fear river ;

H. B. 785, S. B. 653, an act to protect fish in Lumber river in the counties of Columbus and Robeson ;

H. B. 163, S. B. 478, an act to regulate official advertising ;

S. B. 668, H. B. 965, an act to enable the city of Wilmington to provide for the bonds maturing in the year one thousand eight hundred and eighty-two ;

S. R. 736, resolution to print one thousand copies of the testimony in relation to Western North Carolina Railroad Company ;

H. R. 130, S. R. 786, resolution to give the convicts of the Penitentiary Bibles and other religious books ;

H. B. 885, S. B. 813, an act to incorporate the Raleigh Street Railway Company ;

H. B. 583, S. B. 700, an act to amend the charter of the Fairfield Canal Company in Hyde county ;

H. B. 591, S. B. 641, an act to repeal section 14 of chapter 117 of the Laws of 1879 ;

H. B. 429, S. B. 554, an act to amend the charter of the town of Beaufort ;

H. B. 796, S. B. 706, an act to appoint two additional cotton weighers in the town of Goldsboro ;

S. B. 672, H. B. 947, an act to amend the charter of the High Shoals Manufacturing and Mining Company ;

S. B. 862, H. B. 1087, an act for the benefit of the Principal Clerks of the General Assembly ;

S. B. 385, H. B. 607, an act to encourage the colleges of the State in establishing libraries ;

S. B. 655 $\frac{1}{2}$, H. B. 1059, an act to designate the holidays to be observed and dates when papers will be due ;

H. B. 580, S. B. 776, an act to appoint cotton weighers for the town of Shelby and to give the commissioners and board of aldermen the power to tax drays and livery stables ;

H. B. 726, S. B. 803, an act to authorize and empower the commissioners of Bertie county to levy a special tax ;

S. B. 718, H. B. 1081, an act to incorporate the Hook and Ladder Company of the city of Salisbury;

S. B. 351, H. B. 987, an act to provide additional servants for the various State Departments;

H. B. 22, S. B. 157, an act to incorporate Roanoke Non-Sectarian Male and Female Academy on Roanoke river;

S. B. 555, H. B. 960, an act concerning representation in the House of Representatives;

H. B. 898, S. B. 768, an act concerning representation in the Senate;

H. B. 569, S. B. 686, an act to make dogs listed for taxation the subject of larceny;

S. B. 190, H. B. 1018, an act to extend the time to redeem land sold for taxes;

S. B. 667, H. B. 1088, an act to prohibit the manufacture and sale of spirituous and malt liquors;

H. R. 113, S. R. 762, resolution in favor of the county of Cabarrus;

H. B. 643, S. B. 767, an act to provide for the levying and collection of taxes;

S. R. 779, H. R. 148, resolution of instruction for the Secretary of State;

S. R. 778, resolution for the relief of G. W. Partin;

H. B. 660, S. B. 773, bill to support the Penitentiary;

Bill to incorporate the Sons and Daughters of Charity;

All of which were duly ratified and sent to the office of Secretary of State.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of as follows:

S. B. 888, bill to amend chapter 71, Private Laws of 1879, in regard to the sale of spirituous liquors near the town of Ridgeway.

On motion of Mr. Dortch, the bill was taken up, passed

its several readings, and was ordered sent to the House without engrossment.

The President appointed as additional members on the committee on Enrolled Bills, Messrs. Harper, Scott of New Hanover, Spears, Battle and Mebane.

The Calendar was taken up.

H. B. 1002, S. B. 858, bill to change the boundary line of the town of Bethel in the county of Pitt, passed its second reading, ayes 25, noes 1, as follows :

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuninghame, Dortch, Faison, Finger, Foil, Glenn, Hampton, Harper, Jones, Manning, McMillan, Mebane, Merritt, Newland, Oates, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Whitaker and York—25.

In the negative, Mr. Woodhouse—1.

H. R. 104, S. R. 860, resolution in favor of W. W. Rollins, passed its several readings and was ordered enrolled.

H. B. 873, S. B. 757, bill to amend chapter 135, Laws of 1879, relating to live stock running at large in certain counties, passed its several readings and was ordered enrolled.

H. B. 1102, S. B. 887, bill supplemental to an act to amend chapter 135, Public Laws of 1879, passed its several readings and was ordered enrolled.

H. B. 944, S. B. 851, bill to incorporate the town of Lewis-town in the county of Bertie, passed its several readings and was ordered enrolled.

H. B. 87, S. B. 799, bill relating to bringing stock from other States into this State, on its second reading.

Mr. York moved to amend: Insert,

“ Provided, Nothing in this act shall apply to the counties of Jackson, Swain, Macon, Cherokee, Graham and Clay.”

Adopted.

Thus amended the bill passed its several readings and the amendment was ordered engrossed.

H. B. 890, S. B. 795, bill to amend chapter 34, Laws of special session of 1880, passed its several readings and was ordered enrolled.

H. B. 868, S. B. 824, bill to incorporate the town of Pantego in the county of Beaufort, passed its several readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 46, S. B. 889, bill to amend chapter 275, Laws of 1876-'77. Referred to the committee on Judiciary.

H. B. 428, S. B. 890, bill to amend section 2, chapter 96, Battle's Revisal. Placed on the Calendar.

H. B. 528, S. B. 891, bill to amend chapter 55, Battle's Revisal. Referred to the committee on Judiciary.

H. B. 212, S. B. 883, bill to amend chapter 283, Laws of 1876-'77, was, on motion, laid on the table.

H. B. 759, S. B. 873, bill to grade the crime of burglary, was, on motion, laid on the table.

By consent,

Mr. Scott of Rockingham introduced

S. B. 892, bill supplemental to a resolution in regard to Yorktown passed at this session of the General Assembly. Placed on the Calendar.

H. B. 46; S. B. 889, bill to amend chapter 275, Laws of 1876-'77, was, on motion, laid on the table.

H. B. 890, S. B. 765, bill to amend chapter 34, Laws of special session of 1880, passed its several readings and was ordered enrolled.

H. B. 992, S. B. 868, bill to authorize the county commissioners of Jackson county to levy a special tax, passed its third reading, ayes 26, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Cuninghame, Davidson, Dortch, Finger, Foil, Glenn, Gudger, Hampton, Harper, Manning, McMillan, Mebane, Merritt, Newland, Oates, Parish, Scott of New Hanover, Scott of Rockingham, Tucker, Whitaker, Williamson of Davie, Woodhouse and Wynne—26.

In the negative, Mr. Spears—1.

S. B. 375, bill to regulate the salary of the Private Secretary of the Governor, passed its third reading, and was ordered sent to the House without engrossment.

H. B. 1054, S. B. 837, bill to extend the time for the registration of deeds and other conveyances, passed its several readings, and was ordered enrolled.

H. B. 914, S. B. 792, bill to amend and define the boundary lines of the town of Morganton, in Burke county, passed its several readings, and was ordered enrolled.

H. B. 884, S. B. 759, bill to incorporate the town of Keyser in the county of Moore, passed its several readings, and was ordered enrolled.

H. B. 945, S. B. 804, bill to authorize the commissioners of Madison county to pay the county indebtedness in bonds, passed its second reading, ayes 27, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Carter, Clarke, Cuninghame, Davidson, Dortch, Finger, Gudger, Hampton, Hanes, Harper, Manning, McMillan, Mebane, Merritt, Newland, Parish, Respass, Staples, Stowe, Tucker, Whitaker, Woodhouse and York—27.

In the negative, Mr. Spears—1.

H. B. 821, S. B. 756, bill to make Trent river a lawful fence to a certain point in Jones county, was, on motion, laid on the table.

S. B. 842, bill to amend Battle's Revisal, chapter 12, in relation to Building Associations, passed its several readings and was ordered sent to the House without engrossment.

H. B. 1067, S. B. 820, bill for the relief of the stockholders of the Asheville and Spartanburg Railroad Company, passed its several readings, and was ordered enrolled.

H. B. 888, S. B. 828, bill to lay out and construct certain public roads in the county of Onslow, was, on motion, laid on the table.

H. B. 1093, S. B. 881, bill to prohibit the sale of spirituous or intoxicating liquors within three miles of Notalah church in Halifax county, passed its several readings, and was ordered enrolled.

H. B. 1037, S. B. 846, bill to amend chapter 219, section 1, Laws of 1876-'77, relating to the protection of deer, passed its several readings, and was ordered enrolled.

H. B. 1092, S. B. 880, bill supplemental to an act to incorporate the Newbern Board of Trade, passed during the present session, passed its several readings, and was ordered enrolled.

S. B. 892, bill supplemental to a resolution in regard to Yorktown passed at this session of the General Assembly, on its second reading.

Mr. Gudger moved to amend: Strike out "fifteen hundred dollars," and insert "five thousand dollars."

Mr. Davidson moved to lay the bill on the table. Lost.

Mr. Gudger's amendment was lost.

The bill passed its second reading.

Mr. Scott of Rockingham moved to suspend the rules, and put the bill on its third reading. The motion did not prevail, two-thirds of the Senators voting not voting therefor.

H. B. 1033, S. B. 839, bill to amend chapter 34, section 1, Laws 1874-'75, passed its several readings and was ordered enrolled.

H. R. 113, S. R. 762, resolution in favor of the county of Cabarrus, passed its several readings and was ordered enrolled.

H. B. 875, S. B. 834, bill to regulate the probate of deeds

and other instruments, when the grantor, maker or subscribing witness resides outside of this State, passed its several readings and was ordered enrolled.

A MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 812, S. B. 894, bill to allow parole evidence of judgments, decrees, &c., in Lenoir county. Placed on the Calendar.

H. B. 900, S. B. 895, bill to amend chapter 76, Battle's Revisal. Placed on the Calendar.

H. B. 1003, S. B. 896, bill to keep the walks in and around the Capitol square in proper repair. Placed on the Calendar.

The Calendar was resumed.

H. B. 812, S. B. 894, bill to allow parole evidence of judgments, decrees, &c., in Lenoir county, passed its several readings and was ordered enrolled.

H. B. 900, S. B. 895, bill to amend chapter 76, Battle's Revisal, passed its several readings and was ordered enrolled.

H. B. 1003, S. B. 896, bill to keep the walks in and around the Capitol square in proper repair, passed its several readings and was ordered enrolled.

H. B. 995, S. B. 832, bill to amend chapter 264, Laws of 1879, passed its several readings and was ordered enrolled.

By consent,

Mr. Scott of New Hanover introduced

S. B. 897, bill in regard to the Superior Court clerk of New Hanover county. Placed on the Calendar.

The Calendar was resumed.

H. B. 455, S. B. 853, bill to facilitate the settlements of executors, administrators and guardians, passed its several readings and was ordered enrolled.

H. B. 428, S. B. 890, bill to amend section 2, chapter 96,

Battle's Revisal, passed its several readings and was ordered enrolled.

H. B. 685, S. B. 796, bill to allow county commissioners to place the names of school committeemen in the jury box, passed its several readings and was ordered enrolled.

S. B. 753, bill to effect railway communication between Beaufort harbor and Tennessee, was, on motion, laid on the table.

H. B. 528, S. B. 891, bill to amend chapter 55, Battle's Revisal, was, on motion, laid on the table.

S. B. 897, bill in regard to the Superior Court clerk of New Hanover, passed its several readings and was ordered sent to the House without engrossment.

On motion of Mr. Respass,

H. B. 888, S. B. 828, bill to lay out and construct certain public roads in the county of Onslow, was taken from the table and placed on the Calendar.

H. R. 150, S. R. 884, resolution to pay Henry E. Davis and R. I. Mayo, passed its several readings and was ordered enrolled.

H. B. 31, S. B. 146, bill to punish the crime of abortion, passed its several readings and was ordered enrolled.

S. R. 737, resolution to allow Andrew Jackson, a contestant, mileage and *per diem*, was,

On motion of Mr. Clarke, taken from the table and placed on the Calendar.

On motion of Mr. Clarke, the resolution was taken up, passed its several readings, and was ordered sent to the House without engrossment.

H. B. 108, S. B. 784, bill for preventing cruelty to animals, passed its several readings and was ordered enrolled.

H. B. 577½, S. B. 869, bill to protect the fishing interests in North Carolina and for the protection of commerce, was, on motion, laid on the table.

H. B. 652, S. B. 712, bill to amend chapter 299, Public

Laws of 1879, passed its several readings and was ordered enrolled.

H. R. 127, S. R. 861, resolution granting convict labor for the construction of the Danville and Haw River Railway, passed its several readings and was ordered enrolled.

H. B. 913, S. B. 859, bill to prescribe the duty of the Attorney-General in certain cases, passed its several readings and was ordered enrolled.

H. B. 793, S. B. 855, bill to amend section 5, chapter 138, Laws of 1873-'74, passed its several readings and was ordered enrolled.

H. B. 879, S. B. 793, bill to repeal a portion of chapter 232, Laws of 1879, passed its several readings and was ordered enrolled.

H. B. 918, S. B. 872, bill to compensate guardians *ad litem*, was, on motion, laid on the table.

H. B. 253, S. B. 871, bill to amend chapter 94, Laws of 1879, passed its several readings and was ordered enrolled.

H. B. 577, S. B. 866, bill to regulate the setting of shad nets in the county of Dare, was, on motion, laid on the table.

H. B. 491, S. B. 852, bill to incorporate the Raleigh and Rocky Mount Railroad Company, passed its several readings and was ordered enrolled.

H. B. 784, S. B. 830, bill for the encouragement and support of the State Guard, passed its several readings and was ordered enrolled.

H. R. —, S. R. 764, resolution of instruction to our Senators and Representatives in Congress, passed its several readings and was ordered enrolled.

H. B. 513, S. B. 847, bill to require clerks of the superior courts in filling the office of justice of the peace to report the names to the Secretary of State, passed its several readings and was ordered enrolled.

H. B. 792, S. B. 850, bill in relation to office of county

treasurer, passed its several readings and was ordered enrolled.

H. B. 897, S. B. 831, bill to lay off and establish a free turnpike road in Orange county, passed its several readings and was ordered enrolled.

H. B. 652, S. B. 712, bill to amend chapter 299, Public Laws of 1879, passed its several readings and was ordered enrolled.

Mr. Davidson moved that when the Senate adjourn it do so until to-morrow morning at 10 o'clock, which prevailed.

On motion, the Senate adjourned.

FIFTY-EIGHTH DAY.

SENATE CHAMBER, March 12th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Skinner.

The Journal of yesterday was approved.

PETITIONS.

By Mr. Richardson: Petition of certain citizens of Bladen county asking the formation of a new township in said county. Placed on the Calendar.

REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the committee on Finance:

By Mr. Richardson: H. R. 56, S. R. 260, resolution to

appoint a commission as required by sections 69 and 70, chapter 78, Battle's Revisal, concerning accounts of State Treasurer, recommending it do not pass.

By Mr. Manning: S. B. 733, bill to commute and settle certain outstanding indebtedness of the late Western Division of the Western North Carolina Railroad Company, reporting it back without recommendation, for want of time for consideration.

From the committee on Privileges and Elections:

By Mr. Respass: Report of a majority of the committee on the contested case of Jackson *versus* Whitaker, from Halifax.

The report is as follows:

REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS IN
THE CONTESTED ELECTION CASE OF ANDREW JACKSON
versus SPIER WHITAKER FROM HALIFAX COUNTY:

To the Senate:—Your committee have with much care considered the law and the testimony which relate to the above case, and after due deliberation are of opinion that the contestant has failed to make out such a case as would entitle him to the seat he claims. A majority of the committee are of opinion, upon the case presented, that Spier Whitaker, the sitting member, is entitled to his seat, and the committee, by a majority, so find. The papers with all the testimony in the case are herewith returned to the Senate.

Respectfully submitted,

(Signed)

JAS. T. RESPASS, Chm'n,

JAS. A. LOCKHART,

JOHN W. GUDGER,

W. S. HARRIS,

V. V. RICHARDSON.

The report of the committee was adopted.

Mr. Carr, for the committee on Enrolled Bills, moved, in accordance with rule 33 of the Senate Rules of Order, to reconsider the vote by which

H. B. 355, S. B. —, bill to incorporate the town of Jamestown in the county of Guilford, for the purpose of correcting some clerical errors therein passed its several readings. The motion prevailed. The bill was reported as properly corrected, passed its third reading and was ordered enrolled.

The President announced as Commissioners on the part of the Senate to examine the accounts of the State Treasurer as required by section 69, chapter 78, Battle's Revisal, Messrs. Richardson and Carr.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing as Commissioners on the part of the House to examine the accounts of the State Treasurer, as required by section 69, chapter 78, Battle's Revisal, Messrs. Grainger, Moore and Winstead.

Also transmitting engrossed

H. B. 1105, S. B. 898, bill to amend an act to change the time of holding the courts in the 4th judicial district. Placed on the Calendar.

H. B. 1106, S. B. 899, bill to define the representation of the county of Durham in the General Assembly of North Carolina. Placed on the Calendar.

H. B. 212, S. B. 900, bill to amend chapter 283, Laws of 1876-'77. Placed on the Calendar.

H. B. 929, S. B. 901, bill to prevent the manufacture of spirituous liquors in Mt. Airy, Surry county. Placed on the Calendar.

H. B. 1034, S. B. 902, bill to facilitate the securing the right of way for railroads and other companies. Placed on the Calendar.

H. B. 910, S. B. 903, bill in regard to fishing in Haw and Deep rivers. Placed on the Calendar.

H. B. 1107, S. B. 910, bill to authorize an additional week for the Inferior Court of Granville. Placed on the Calendar.

H. B. 421, S. B. 911, bill for the relief of stockholders of railroads and other companies. Placed on the Calendar.

H. R. 145, S. R. 912, resolution to secure a proper exhibit of the resources of North Carolina at the New York World's Exhibition in 1883. Placed on the Calendar.

H. B. 1103, S. B. 913, bill for the benefit of the Assistants of the Principal Clerks of the General Assembly. Placed on the Calendar.

Also transmitting without engrossment

H. B. 1113, S. B. 914, bill to change the times of holding the courts in the ninth judicial district. Placed on the Calendar.

Also announcing the concurrence of that honorable body in Senate amendments to

H. B. 945, S. B. 811, bill to prohibit the sale of intoxicating liquors in certain localities; and in

Senate amendment to

H. B. 87, S. B. 799, bill in relation to bringing stock from other States into this State;

And had ordered the same enrolled for ratification.

Also announcing as House branch of committee of conference on House amendment to

S. B. 525, H. B. 1080, bill for the protection of partridges and other birds in North Carolina, Messrs. Smedes, Click, Day, Bledsoe and Green of Craven.

Also transmitting engrossed

H. B. 1116, S. B. 915, bill to amend chapter 283, Laws of 1877. Placed on the Calendar.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 945, S. B. 804, bill to authorize the commissioners of Madison county to pay the county indebtedness, passed its third reading, ayes 25, noes 1, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuninghame, Davidson, Dortch, Finger, Foil, Glenn, Hampton, Harper, Lockhart, Manning, McMillan, Mebane, Merritt, Parish, Richardson, Scott of New Hanover, Scott of Rockingham, Staples, Williamson of Edgecombe, Woodhouse and Wynne—25.

In the negative, Mr. Spears—1.

H. B. 1002, S. B. 858, bill to change the boundary line of the town of Bethel in the county of Pitt, passed its third reading, ayes 26, as follows:

Those voting in the affirmative were

Messrs. Battle, Blue, Burwell, Carr, Cuninghame, Davidson, Dortch, Finger, Foil, Glenn, Hampton, Harper, Lockhart, Manning, McMillan, Mebane, Merritt, Parish, Richardson, Scott of New Hanover, Scott of Rockingham, Spears, Staples, Williamson of Edgecombe, Woodhouse and Wynne—26.

H. B. 1113, S. B. 914, bill to change the time of holding the courts in the Ninth Judicial District, passed its several readings and was ordered enrolled.

H. B. 1103, S. B. 913, bill for the benefit of the Assistants of the Principal Clerks of the General Assembly, passed its several readings and was ordered enrolled.

H. B. 1106, S. B. 899, bill to define the representation of the county of Durham in the General Assembly of North Carolina, passed its several readings and was ordered enrolled.

H. B. 910, S. B. 903, bill in regard to fishing in Haw and Deep rivers in Chatham, passed its several readings and was ordered enrolled.

H. B. 1107, S. B. 910, bill to authorize an additional week for the inferior court of Granville county, passed its several readings and was ordered enrolled.

H. R. 145, S. R. 912, resolution to secure a proper exhibit of the resources of North Carolina at the New York World's Exhibition in 1883, passed its several readings and was ordered enrolled.

H. B. 929, S. B. 901, bill to prohibit the manufacture of spirituous liquors in Mount Airy, Surry county, was,

On motion of Mr. Hampton, laid on the table.

H. R. 126, S. R. 886, resolution in regard to leasing the Atlantic and North Carolina Railroad, passed its several readings and was ordered enrolled.

H. B. 941, S. B. 845, bill to re-survey the boundary line of the State passed its several readings and was ordered enrolled.

H. B. 1116, S. B. 915, bill to amend chapter 283, Laws of 1877, passed its several readings and was ordered enrolled.

H. B. 1105, S. B. 908, bill to change the time of holding the courts in the Fourth Judicial District, passed its several readings and was ordered enrolled.

H. B. 421, S. B. 911, bill for the relief of stockholders of railroads and other companies, was, on motion, laid on the table.

H. B. 212, S. B. 900, bill to amend chapter 283, Laws of 1876-'77, was, on motion, laid on the table.

H. B. 1034, S. B. 902, bill to facilitate the securing the right of way for railroads in certain counties was, on motion, laid on the table.

On motion of Mr. Davidson, the Senate went into an Executive Session.

The Senate resumed its open session.

H. B. 888, S. B. 828, bill to lay out and construct certain public roads in the county of Onslow, passed its several readings and was ordered enrolled.

Mr. Staples introduced the following resolution, (Mr. Dortch in the chair):

"*Resolved*, That this Senate tenders to Lieutenant-Governor Robinson its thanks for the able and impartial manner with which he has presided over its deliberations."

The resolution was adopted unanimously.

Mr. Staples moved the Senate take recess until one o'clock P. M. to-day. Adopted.

At one o'clock P. M. the Senate was called to order.

The committee on Enrolled Bills reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of the Secretary of State:

H. B. 890, S. B. 795, an act to amend chapter 34 of the laws of Special Session of 1880;

H. B. 685, S. B. 796, an act to allow the county commissioners to place the names of school committeemen in the jury box;

H. B. 1055, S. B. 838, an act supplemental to an act ratified February 23d, 1881, to provide for the erection of a monument to the late Gov. Richard Caswell;

H. B. 1054, S. B. 837, an act to extend the time for the registration of deeds and other conveyances;

H. B. 665, S. B. 774, an act for the protection of sheep husbandry in the county of Dare;

S. B. 750, H. B. 1040, an act to abolish fences in Warren county;

H. B. 992, S. B. 868, an act to authorize the county commissioners of Jackson county to levy a special tax for the purpose of building a bridge;

H. B. 220, S. B. 252, an act to amend section 2, chapter 120 of Battle's Revisal;

H. B. 839, S. B. 642, an act in relation to the codification of the Cherokee land laws in the State of North Carolina;

H. B. 1090, S. B. 879, an act to prohibit the sale of spir-

ituous or intoxicating liquors within two miles of the colored Missionary Baptist church at Best's Station in Wayne county;

H. B. 455, S. B. 853, an act to facilitate the settlement of executors and administrators;

H. B. 995, S. B. 832, an act to amend chapter 264 of the Laws of 1879;

S. B. 712, H. B. 652, an act to repeal chapter 299, Public Laws of 1879;

H. R. 131, S. R. 836, resolution in favor of L. Branson;

H. B. 1106, S. B. 899, an act to define the representation of the county of Durham in the General Assembly of North Carolina;

H. B. 792, S. B. 850, an act relating to the office of County Treasurer;

S. R. 275, H. R. 152, a resolution in relation to Yorktown;

S. R. 737, H. R. 157, resolution to allow Andrew Jackson per diem and mileage;

S. B. 888, H. B. 1110, an act to amend chapter 71, Private Laws of 1879, in regard to the sale of spirituous liquors near the town of Ridgeway.

Mr. Staples introduced the following:

Resolved, That no bill or resolution shall be considered in this body after half-past two o'clock P. M. to-day."

Adopted.

Mr. Battle moved that when the Senate adjourn it do so until 10 o'clock Monday morning. The motion prevailed.

On motion of Mr. Mebane, the Calendar being exhausted, the Senate adjourned.

FIFTY-NINTH DAY.

SENATE CHAMBER, March 14th, 1881.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting engrossed

H. R. 156, S. R. 916, resolution to pay Miss Jeanie C. Gales for assisting in Engrossing Department. Placed on the Calendar.

Also transmitting without engrossment

H. B. 820, S. B. 917, bill for the relief of the town of Woodville. Placed on the Calendar.

H. B. 874, S. B. 918, bill to provide a building for the Department of Agriculture. Placed on the Calendar.

THE CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

H. R. 156, S. R. 916, resolution to pay Miss Jeanie C. Gales for assisting in Engrossing Department, passed its several readings and was ordered enrolled.

H. B. 820, S. B. 917, bill for the relief of the town of Woodville, passed its several readings and was ordered enrolled.

H. B. 874, S. B. 918, bill to provide a building for the Department of Agriculture, passed it several readings and was ordered enrolled.

On motion of Mr. Finger, the Senate took a recess until half-past eleven o'clock to-day.

At half-past eleven o'clock the Senate met pursuant to adjournment from recess.

A message was received from the House of Representatives transmitting without engrossment

House amendment to

S. B. 145, H. B. 548, bill to prohibit the use of pod or Dutch nets in the waters of the Neuse and Trent rivers and their tributaries.

The amendment was concurred in, and the bill was ordered enrolled for ratification.

Also transmitting without engrossment

H. B. 886, S. B. 919, bill to lay out and construct a public road in Pasquotank county. Placed on the Calendar.

H. B. 790, S. B. 920, bill to amend chapter 334, Laws of 1879. Placed on the Calendar.

The committee on Enrolled Bills reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of the Secretary of State:

H. B. 87, S. B. 799, an act relating to bringing stock from other States into this State;

S. B. 83, H. B. 401, an act to amend chapter 22 of the laws of 1879, being "an act in relation to the probate of deeds;"

H. R. 104, S. R. 860, resolution in favor of W. W. Rollins;

S. B. 582, H. B. 1109, an act to provide for the election of an associate justice of the Supreme Court and a judge of the Superior Court from the first, second, third, fourth, fifth and sixth judicial districts and nine solicitors at a

general election to be held on the first Tuesday in November, A. D. 1882;

H. B. 1092, S. B. 880, an act supplemental to an act incorporating the Newbern Board of Trade, passed during the present session of the General Assembly;

H. B. 888, S. B. 828, an act to lay out and construct certain public roads in Onslow county and to ask for twenty able-bodied convicts to be furnished by the State to work on said road;

H. B. 694, S. B. 821, an act to amend chapter 67, Private Laws of 1876-'77, and to authorize the construction of a branch road from Hayesville in Clay county to or near Addington's Mills on Clayton road in Macon county;

H. B. 941, S. B. 845, an act to authorize the re-running and re-marking of the boundary line between this State and the contiguous States of Virginia, South Carolina, Tennessee and Georgia;

H. B. 1105, S. B. 898, an act to amend an act to change the time of holding the courts in the fourth judicial district;

H. B. 879, S. B. 831, an act to lay off and establish a free turnpike road in Orange county;

H. B. 1003, S. B. 896, an act to keep the walks in and around the Capitol Square in proper repair;

H. B. 513, S. B. 847, an act to require clerks of superior courts in filling vacancies in the office of justice of the peace to report the names of the appointees to the Secretary of State;

S. B. 875, H. B. 1096, an act for the benefit of the Enrolling Clerk of the General Assembly;

H. B. 1097, S. B. 879, an act for the benefit of the Reading Clerks of the Senate and House of Representatives;

H. B. 1115, S. B. 375, an act to regulate the salary of the Private Secretary of the Governor;

H. B. 1078, S. B. 865, an act to repeal that portion of

chapter 232, which relates to certain towns and villages in Bertie county;

H. B. 467, S. B. 509, an act to amend the charter of the City of Raleigh;

H. B. 1093, S. B. 903, an act in relation to fish ways in Haw river;

H. B. 1093, S. B. 881, an act to prohibit the sale of spirituous or intoxicating liquors within three miles of Notalah Presbyterian church in Halifax county;

H. B. 1091, an act supplemental to an act appointing justices of the peace;

S. R. 764, resolution of instruction to our Senators and Representatives in Congress;

H. B. 892, S. B. 870, an act to provide a commission with power to sell the State's stock in the Cape Fear and Yadkin Valley Railroad Company;

H. R. 150, S. R. 884, resolution to pay Henry E. Davis and Rob't I. Mayo;

H. B. 916, S. B. 854, an act to amend an act entitled an act to incorporate the town of Roxboro in Person county;

H. B. 692, S. B. 758, an act to amend chapter 135 of the Laws of 1879;

H. B. 1167, S. B. 910, an act to authorize an additional week for the Inferior Court of Granville county;

S. B. 897, H. B. 1111, an act in regard to the Superior Court Clerk of New Hanover county;

H. B. 1116, S. B. 915, an act to amend chapter 283, Laws of 1879;

H. B. 913, S. B. 859, an act to prescribe the duty of the Attorney-General in certain cases;

H. B. 812, S. B. 894, an act to allow parol evidence of judgments, decrees, &c., in Lenoir county;

S. B. 431, H. B. 853, an act to incorporate the Charlotte City Water Works;

H. B. 1033, S. B. 853, an act to amend chapter 34, section 1, Laws of 1873-'74;

H. B. 900, S. B. 895, an act to amend chapter 76 of Battle's Revisal ;

S. B. 944, H. B. 851, an act to incorporate the town of Lewiston in the county of Bertie ;

H. B. 823, S. B. 849, an act to amend the law prescribing the duties of Coroners ;

S. B. 606, H. B. 1060, an act to amend the charter of the town of Trinity in the county of Randolph ;

H. B. 671, S. B. 775, an act to amend the charter of the town of Mt. Olive in the county of Wayne ;

S. B. 649, H. B. 864, an act to amend chapter 27, section 15, Battle's Revisal ;

H. B. 914, S. B. 792, an act to amend and define the boundary line of the corporation of the town of Morganton in Burke county ;

S. B. 585, H. B. 1100, an act to amend chapter 294, Laws of 1879 ;

H. B. 884, S. B. 759, an act to incorporate the town of Keyser in the county of Moore ;

H. B. 811, S. B. 857, an act to amend the charter of the town of Durham ;

H. B. 784, S. B. 830, an act for the encouragement and support of the State Guard ;

H. B. 108, S. B. 784, an act for the prevention of cruelty to animals ;

H. B. 491, S. B. 852, an act to incorporate the Raleigh and Rocky Mount Railroad Company ;

H. B. 690, S. B. 687, an act to prohibit live stock from running at large in Lenoir county ;

H. B. 915, S. B. 826, an act to amend chapter 57, Laws of 1874-'75, "an act to incorporate the town of Shelby, Cleveland county," ratified 26th day of February, A. D. 1875 ;

S. B. 814, H. B. 1070, an act to repeal chapter 27, Private Laws of 1870-'71 ;

H. R. 153, S. R. 885, resolution to compensate clerk of committee for the Appointment of Justices of the Peace ;

S. B. 917, H. B. 820, an act concerning the town of Woodville, Perquimans county ;

H. R. 156, S. R. 916, resolution to pay Miss Jean C. Gales fifty dollars for assisting the Engrossing Clerk ;

S. B. 534, H. B. 1014, an act to repeal chapter 109 and 194 of the Acts 1868-'69 ;

S. B. 847, H. B. 1112, an act to amend Battle's Revisal, chapter 12, in relation to Building Associations ;

H. R. 127, S. R. 861, resolution granting convict labor for the construction of the Danville and Haw River Railway ;

S. B. 806, H. B. 945, an act to authorize the commissioners of Madison county to pay the county indebtedness in bonds ;

H. B. 793, H. B. 855, an act to amend section 5, chapter 138 of the Laws of 1873-'74 ;

H. B. 408, S. B. 396, an act to authorize R. J. Hassell, sheriff of Tyrrell county, to collect arrears of taxes ;

S. B. 985, H. B. 811, an act to prohibit the sale of intoxicating liquors in certain localities ;

H. R. 126, S. R. 886, resolution in relation to leasing the Atlantic and North Carolina Railroad ;

H. B. 253, S. B. 871, an act to amend chapter 94 of the Laws of 1879 ;

H. B. 822, an act to give sub-contractors and laborers a lien upon vessels for their just dues in loading and discharging said vessels ;

S. B. 782, H. B. 1000, an act to incorporate the Hillsboro Manufacturing Company in Orange county ;

H. B. 1002, S. B. 858, an act to change the boundary line of the town of Bethel in the county of Pitt ;

H. B. 1113, S. B. 914, an act to change the time of holding the courts in the ninth judicial district ;

H. B. 1002, S. B. 858, an act supplemental to an act entitled "an act to amend chapter 135, Public Laws of 1879," ratified February 18th, 1881 ;

H. B. 991, S. B. 829, an act to authorize the board of commissioners of Cleveland county to levy a special tax ;

S. B. 918, H. B. 874, an act to provide a building for the Department of Agriculture ;

S. B. 605, H. B. 1046, an act to incorporate Freedman's Chapel, Randolph county ;

S. B. 667, H. B. 1019, an act to incorporate Salamander Fire Company, of Washington ;

S. B. 673, H. B. 1016, an act to establish and define boundary line between Albemarle Swamp Land Company and adjacent land-owners ;

An act to raise revenue ;

An act to amend chapter 232, Laws 1879 ;

An act to amend section 1, chapter 34, Laws Special Session 1880 ;

An act to prohibit the use of pod or Dutch nets in the waters of Neuse and Trent rivers.

Mr. Finger introduced the following :

“ Resolved, That the thanks of this Senate are due and are hereby tendered to the ministers of the gospel of the various denominations for their attendance for the purpose of opening the sessions with prayer.”

Unanimously adopted.

The hour for the final adjournment of the Assembly having arrived,

Mr. President Robinson addressed the Senate as follows :

“ SENATORS: I beg to express my appreciation of the kind expressions of your resolution adopted Saturday. I have made an honest effort to deserve your support and endorsement by a fair and impartial administration of your rules.

To the Principal and Reading Clerks at my desk, to the Engrossing and Enrolling Clerks, the Doorkeepers and

Pages, I desire to return thanks for the very faithful and efficient discharge of their several duties.

Wishing you, one and all, a safe return to your homes and families, I declare this Senate adjourned without day."

(Signed)

J. L. ROBINSON,
President of the Senate.

ROBT. M. FURMAN,
Secretary of the Senate.

I have I desire to state that for the very highest
officers of the city and their several duties
Wishing you and all the city to be
and finally I desire this week's edition

J. J. ROBINSON
President of the Board
Hose M. J. J. J.
Secretary of the Board

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APPENDIX.

ABSTRACT OF VOTES CAST AT AN ELECTION HELD FOR GOVERNOR
AND STATE OFFICERS ON TUESDAY, NOVEMBER 2D, 1880, IN
THE STATE OF NORTH CAROLINA.

ABSTRACT OF VOTES

Cast at an election held for Governor and State Officers on Tuesday, November 2d, 1880, in the State of North Carolina.

COUNTIES.	GOVERNOR.		LIEUTENANT GOVERNOR.		SECRETARY OF STATE.		AUDITOR.		TREASURER.		SUP'T PUBLIC INSTRUCTION.		ATTORNEY GENERAL.	
	Thomas J. Jarvis.	Ralph P. Buxton.	James I. Robinson.	Rufus Baringer.	William L. Saunders.	Richard M. Norment.	William P. Roberts.	Riley H. Cannon.	John M. Worth.	Aaron D. Jenkins.	Jno. C. Scarborough.	Archibald R. Black.	Thomas S. Keanan.	Augustus M. Moore.
Alamance.....	1,447	1,277	1,450	1,269	1,449	1,297	1,450	1,267	1,453	1,265	1,450	1,268	1,450	1,267
Alexander.....	702	375	792	372	792	370	787	370	792	370	792	370	792	370
Alleghany.....	511	247	514	245	513	240	513	240	513	240	513	240	513	243
Anson.....	1,632	995	1,636	991	1,636	990	1,636	990	1,635	990	1,636	990	1,636	990
Ashe.....	1,027	1,032	1,028	1,025	1,028	1,026	1,028	1,025	1,028	1,024	1,028	1,024	1,028	1,024
Beaufort.....	1,717	1,743	1,717	1,741	1,712	1,731	1,712	1,731	1,713	1,731	1,713	1,731	1,714	1,732
Bertie.....	1,188	1,721	1,187	1,720	1,187	1,720	1,187	1,730	1,187	1,730	1,187	1,730	1,187	1,731
Bladen.....	1,278	1,530	1,289	1,519	1,279	1,518	1,280	1,517	1,270	1,517	1,280	1,516	1,280	1,516
Brunswick.....	702	896	705	893	706	891	706	891	706	891	705	892	705	892
Buncombe.....	1,925	1,586	1,926	1,580	1,921	1,546	1,921	1,547	1,921	1,545	1,921	1,546	1,920	1,546
Burke.....	1,074	816	1,077	812	1,076	807	1,076	807	1,076	807	1,076	806	1,076	806
Cabarrus.....	1,465	1,037	1,464	1,048	1,464	1,045	1,464	1,045	1,464	1,045	1,463	1,045	1,464	1,046
Caldwell.....	971	419	974	420	974	418	974	418	974	418	970	422	974	418
Camden.....	631	523	631	522	631	522	630	522	631	522	631	522	631	522
Carteret.....	990	705	983	705	985	705	985	705	978	705	984	701	985	705
Caswell.....	1,446	1,700	1,450	1,788	1,448	1,788	1,440	1,788	1,448	1,788	1,447	1,789	1,448	1,788
Catawba.....	1,867	619	1,865	617	1,866	617	1,866	617	1,865	617	1,865	617	1,865	617
Chatham.....	2,159	1,888	2,164	1,870	2,166	1,860	2,166	1,860	2,166	1,860	2,165	1,860	2,165	1,860
Cherokee*.....	748	643	727	598	735	630	735	642	736	642	736	641	735	641
Chowan.....	628	629	629	630	630	629	630	629	630	629	630	629	630	629
Clay.....	356	181	356	180	356	180	356	180	357	180	357	180	357	180
Cleveland.....	1,691	1,690	1,689	1,689	1,690	1,689	1,690	1,689	1,692	1,689	1,690	1,689	1,690	1,689
Columbus.....	1,277	922	1,279	917	1,277	930	1,278	915	1,278	916	1,278	916	1,278	915
Craven.....	1,190	1,186	1,186	2,815	1,184	2,812	1,184	2,807	1,185	2,812	1,183	2,812	1,186	2,813
Cumberland.....	2,079	2,162	2,089	2,145	2,088	2,142	2,088	2,142	2,089	2,141	2,088	2,142	2,088	2,142
Currituck.....	988	326	977	332	977	331	977	332	977	332	977	332	977	333
Dare.....	283	265	284	262	282	261	282	262	282	261	282	261	282	261
Davidson.....	1,745	1,887	1,750	1,870	1,751	1,860	1,751	1,860	1,758	1,859	1,751	1,864	1,758	1,860

ABSTRACT OF VOTES---Continued.

COUNTIES.	GOVERNOR.		LIEUTENANT GOVERNOR.		SECRETARY OF STATE.		AUDITOR.		TREASURER.		SUP'T PUBLIC INSTRUCTION.		ATTORNEY GENERAL.	
	Thomas J. Jarvis.	Ralph P. Buxton.	James L. Robinson.	Runts Barringer.	Wm. L. Saunders.	Richard M. Normant.	William P. Roberts.	Riley H. Cannon.	John M. Worth.	Aaron D. Jenkins.	Jno. C. Scarborough.	Archibald R. Black.	Thos. S. Kenan.	Augustus M. Moore.
Rockingham,	2,361	1,502	2,361	1,502	2,361	1,502	2,361	1,502	2,360	1,502	2,355	1,502	2,356	1,502
Rowan,	1,979	1,359	1,978	1,359	1,981	1,359	1,977	1,352	1,982	1,352	1,981	1,352	1,981	1,352
Rutherford,	1,204	1,218	1,203	1,218	1,203	1,216	1,203	1,215	1,203	1,215	1,203	1,215	1,204	1,216
Sampson,	2,108	1,638	2,108	1,638	2,108	1,638	2,108	1,638	2,108	1,638	2,108	1,638	2,107	1,638
Stanly,	873	606	873	604	873	605	873	605	873	605	873	605	873	605
Stokes,	1,181	966	1,183	963	1,183	963	1,183	960	1,183	959	1,183	961	1,183	960
Swain,	1,370	999	1,354	961	1,340	963	1,339	964	1,340	963	1,340	962	1,340	961
Transylvania,	404	67	405	66	400	67	400	66	400	66	399	67	399	67
Tyrell,	390	254	393	281	388	255	388	255	400	255	388	255	385	255
Union,	410	353	412	353	411	352	410	352	410	352	410	352	406	358
Wake,	4,280	4,648	4,313	4,630	4,477	4,614	4,338	4,619	4,477	4,617	4,307	4,616	4,357	4,616
Warren,	1,354	2,690	1,354	2,690	1,355	2,688	1,355	2,688	1,355	2,688	1,355	2,688	1,355	2,689
Washington,	621	950	619	951	619	951	619	951	619	951	619	951	619	949
Watauga,	672	552	673	545	671	542	671	540	673	538	673	540	673	540
Wayne,	2,330	2,253	2,367	2,226	2,372	2,219	2,370	2,219	2,375	2,220	2,370	2,221	2,375	2,223
Wilkes,	1,480	1,548	1,484	1,573	1,483	1,581	1,483	1,571	1,483	1,565	1,482	1,565	1,482	1,565
Wilson,	1,573	1,389	1,586	1,381	1,580	1,379	1,577	1,379	1,590	1,379	1,590	1,379	1,591	1,377
Yadkin,	1,920	1,153	1,921	1,145	1,920	1,145	1,920	1,145	1,920	1,145	1,920	1,145	1,920	1,145
Yancey,	680	418	680	417	680	417	679	417	679	417	679	417	679	417
Totals,	121,832	115,589	122,120	115,019	121,994	114,893	121,977	114,783	122,151	114,583	121,976	114,768	121,742	114,564

* Graham county votes with Cherokee county.
 † Two precincts in Union county failed to vote for Attorney General.
 We, the undersigned, President *pro tempore* of the Senate, and Speaker of the House of Representatives, do certify that the above is a correct abstract of the return of votes cast for officers of the Executive Department at an election held on the 24 day of November, A. D. 1880, as prescribed by law, as compared by us in the presence of the two Houses of the General Assembly in convention assembled on the 11th day of January, A. D. 1881.

(Signed)
President pro tempore Senate,
 W. T. DORTCH,
Speaker House of Representatives.
 C. M. COOKE.

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ERRATUM.

On page 619, Mr. Carr is reported as having voted in the affirmative on the passage of

H. B. 892, S. B. 870, bill to provide a commission with power to sell the State's interest in the Cape Fear and Yadkin Valley Railroad, its second reading. He so voted through mistake, and asked and obtained leave to have his vote changed from the affirmative to the negative. The failure to have him recorded correctly is the fault of the

SECRETARY.

